

OFFICIAL PROCEEDINGS MINNEAPOLIS CITY COUNCIL

REGULAR MEETING OF MARCH 18, 2016

(Published March 26, 2016, in *Finance and Commerce*)

CALL TO ORDER

Council President Johnson called the meeting to order at 9:30 a.m. in the Council Chamber, a quorum being present.

Present - Council Members Kevin Reich, Cam Gordon, Jacob Frey, Blong Yang, Abdi Warsame, Lisa Goodman, Elizabeth Glidden, Alondra Cano, Lisa Bender, John Quincy, Andrew Johnson, Linea Palmisano, President Barbara Johnson.

On motion by B. Johnson, the agenda was amended to include under the Order of Motions a staff direction relating to the Workplace Regulations Partnership Group.

On motion by B. Johnson, the agenda was amended to delete the 2016 Sludgeathon Day honorary resolution under the Order of Resolutions.

On motion by Glidden, the agenda, as amended, was adopted.

On motion by Glidden, the minutes of the regular meeting of February 26, 2016, were adopted.

On motion by Glidden, the petitions, communications, and reports of the City officers were referred to the proper Council committees and departments.

The following actions, resolutions, and ordinances were signed by Mayor Betsy Hodges on March 23, 2016. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city. A complete copy of each summarized ordinance and resolution is available for public inspection in the Office of City Clerk.

REPORTS OF STANDING COMMITTEES

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES Committee submitted the following reports:

The Minneapolis City Council hereby approves the Executive Committee's appointment of Noah Schuchman to the appointed position of Director of Regulatory Services for a two-year term beginning Jan. 4, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2016R-080 granting preliminary approval to the issuance of tax-exempt, multifamily-housing, revenue obligations under Minnesota Statutes, Chapter 462C, as amended, for the purpose of financing a housing program consisting of the acquisition, construction, and rehabilitation of a multifamily rental housing development at 1500 Plymouth Ave N and 2625 Stevens Ave S, for the benefit of Plymouth Stevens House, LP.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-080
By Goodman

Granting preliminary approval to the issuance of tax-exempt, multifamily-housing, revenue obligations under Minnesota Statutes, Chapter 462C, as amended, for the purpose of financing a housing program consisting of the acquisition, construction, and rehabilitation of a multifamily rental housing development at 1500 Plymouth Ave N and 2625 Stevens Ave S, for the benefit of Plymouth Stevens House, LP.

Whereas, the City of Minneapolis, Minnesota (the “City”), is authorized, under the provisions of Minnesota Statutes, Chapter 462C, as amended (the “Act”), to develop and administer programs to finance one or more multifamily housing developments within its boundaries; and

Whereas, Section 462C.07 of the Act authorizes the City to issue and sell revenue bonds or obligations to finance programs for multifamily housing developments; and

Whereas, representatives of Plymouth Stevens House, LP, a Minnesota limited partnership (the “Borrower”), have requested that the City adopt a multifamily housing development program (the “Program”) to provide for the issuance of one or more tax-exempt, multifamily-housing, revenue bonds or notes, in an aggregate principal amount of approximately \$17,500,000 (the “Obligations”), for the purpose of loaning the proceeds thereof to the Borrower to finance the acquisition, construction, and rehabilitation of 207 units of multifamily rental apartments, and facilities functionally related and subordinate thereto, to be located at 1500 Plymouth Avenue North in the City and at 2625 Stevens Avenue South in the City (the “Project”) to be owned by the Borrower, the general partner of which is Plymouth Stevens House, LLC, a Minnesota limited liability company; and

Whereas, Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and regulations promulgated thereunder, require that prior to the issuance of the Obligations, this Council must approve the Obligations after conducting a public hearing thereon preceded by publication of a notice of public hearing (in the form required by Section 147(f) of the Code and applicable regulations) in a newspaper of general circulation at least fourteen (14) days prior to the public hearing date; and

Whereas, Section 462C.04 of the Act requires that, as a condition to the issuance of the Obligations, a public hearing must be held on the Program after one publication of notice in a newspaper of circulating generally in the City at least fifteen (15) days before the hearing; and

Whereas, in accordance with the requirements of the Act and the Code, a notice of public hearing in the form required by the Act and Section 147(f) of the Code was published in *Finance & Commerce*, the official newspaper of the City, on February 13, 2016, and in the *Star Tribune*, a newspaper of general circulation in the City, on February 13, 2016; and

Whereas, in accordance with the requirements of Section 462C.04 of the Act, the Program was submitted to the Metropolitan Council for its review and comment on or before the date of publication of the notice of public hearing; and

Whereas, the Community Development & Regulatory Services Committee of the Minneapolis City Council, on behalf of the City, held a public hearing on the Program and the proposed issuance of the Obligations in accordance with the requirements of the Act and the Code; and

Whereas, the Obligations shall not constitute a debt of the City within the meaning of any state constitutional provision or statutory limitation, the Obligations shall not constitute or give rise to a charge against the general credit or taxing powers of the City, the Obligations shall not constitute or give rise to a pecuniary liability of the City, and the Obligations shall be payable solely out of any funds and properties expressly pledged as security therefor;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the Program is hereby approved and adopted by the City.

Be It Further Resolved that the issuance of the Obligations in accordance with the terms and conditions of the Act and the Program in an aggregate principal amount of approximately \$17,500,000 is hereby preliminarily approved.

Be It Further Resolved that the foregoing preliminary approval of the issuance of the Obligations shall be subject to a final approval by the City of the Obligations and the documents providing for the purchase and sale of the Obligations and the loan of the proceeds of the Obligations to the Borrower. The approval of the Program and the Obligations in this resolution shall not constitute an irrevocable commitment on the part of the City to issue the Obligations.

Be It Further Resolved that the Borrower shall pay to the City any and all costs incurred by the City in connection with the Obligations or the financing of the Project, whether or not the financing of the Project is carried to completion, and whether or not the Obligations or operative instruments are executed and delivered. The Borrower shall also comply with the City's deposit and fee policies respecting the Obligations.

Be It Further Resolved that the adoption of this resolution does not constitute a guaranty or firm commitment that the City will issue the Obligations as requested by the Borrower. The City retains the right in its sole discretion to withdraw from participation and accordingly not to issue the Obligations, or issue the Obligations in an amount less than the amount referred to herein should the City at any time prior to issuance thereof determine not to issue the Obligations, or to issue the Obligations in an

amount less than the amount referred to herein, or should the parties to the transaction be unable to reach agreement as to the terms and conditions of any of the documents required for the transaction.

Be It Further Resolved that the United States Department of the Treasury has promulgated final regulations governing the use of the proceeds of tax-exempt obligations, all or a portion of which are to be used to reimburse the City or a borrower from the City for project expenditures paid prior to the date of issuance of such obligations. Those regulations, including Treasury Regulations, Section 1.150-2 (the "Regulations"), require that the City adopt a statement of official intent to reimburse an original expenditure not later than sixty (60) days after payment of the original expenditure. The Regulations also generally require that the Obligations be issued and the reimbursement allocation made from the proceeds of the Obligations occur within eighteen (18) months after the later of: (i) the date the expenditure is paid; or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the Obligations.

Be It Further Resolved that the City reasonably expects to reimburse the Borrower and the School for the expenditures made for costs of the Project from the proceeds of the Obligations in an estimated maximum aggregate principal amount of \$17,500,000 after the date of payment of all or a portion of the costs of the Project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Obligations, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations and also qualifying expenditures under the Act.

Be It Further Resolved that based on representations by the Borrower, no expenditures for the Project have been made by the Borrower more than sixty (60) days before the date of adoption of this resolution other than: (i) expenditures to be paid or reimbursed from sources other than the Obligations; (ii) expenditures permitted to be reimbursed under prior regulations pursuant to the transitional provision contained in Section 1.150-2(j)(2)(i)(B) of the Regulations; (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations; or (iv) expenditures in a "de minimus" amount (as defined in Section 1.150-2(f)(1) of the Regulations).

Be It Further Resolved that based on representations by the Borrower, as of the date hereof, there are no funds of the Borrower reserved, allocated on a long term-basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project to be financed from proceeds of the Obligations, other than pursuant to the issuance of the Obligations. This resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the Borrower as they exist or are reasonably foreseeable on the date hereof.

Be It Further Resolved that in anticipation of the issuance of the Obligations to finance all or a portion of the Project, and in order that completion of the Project will not be unduly delayed when approved, the Borrower is hereby authorized to make such expenditures and advances toward payment of that portion of the costs of the Project to be financed from the proceeds of the Obligations, as the Borrower considers necessary, including the use of interim, short-term financing, subject to reimbursement from the proceeds of the Obligations if and when delivered but otherwise without liability on the part of the City.

Be It Further Resolved that the staff of the City is hereby authorized, in cooperation with bond counsel, to take all steps necessary and desirable to proceed to develop the Program and to issue the Obligations.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby approves the Department of Licenses and Consumer Services Agenda recommendations granting applications for Liquor, Business and Gambling licenses as set forth in File No. 16-00292, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 3/18/2016.

(Published 3/22/2016)

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Milan Hospitality Group LLC, doing business as Aqua City Motel, allowing the licensee to retain the Hotel/Motel License for Aqua City Motel, 5739 Lyndale Ave S, subject to adherence with the conditions contained therein, as set forth in File No. 16-00293, and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Fahmida Hospitality Group LLC, doing business as Metro Inn Motel, allowing the licensee to retain the Hotel/Motel License for Metro Inn Motel, 5637 Lyndale Ave S, subject to adherence with the conditions contained therein, as set forth in File No. 16-00294, and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby adopts the Business License Operating Conditions Agreement negotiated between the City of Minneapolis and Sssdude-Nutz LLC allowing the licensee to obtain the

Extended Hours License for Sssdude-Nutz, 317 14th Ave SE, subject to adherence with the conditions contained therein, as set forth in File No. 16-00295, and made a part of this report by reference.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby approves an 18-month extension of the development timeframe under a previously approved land sale of property at 2029, 2033, and a portion of 2101 W Broadway to Plymouth Christian Youth Center (PCYC) or affiliated entity, as set forth in File No. 16-00296.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Community Development & Regulatory Services Committee, Goodman offered Resolution 2016R-081 rescinding previously adopted City of Minneapolis Unified Housing Policies and adopting a Restated Unified City of Minneapolis Housing Policy.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-081

By Goodman

Rescinding previously adopted City of Minneapolis Unified Housing Policies and adopting a Restated Unified City of Minneapolis Housing Policy.

Whereas, the City of Minneapolis desires to clarify and streamline existing City housing policies by adopting a unified document that is a clear and coherent statement of the current housing policies of the City of Minneapolis without reference to previously amended and deleted language;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis hereby rescinds all previous versions of the City of Minneapolis Unified Housing Policy and adopts the following Unified City of Minneapolis Housing Policy:

Unified City of Minneapolis Housing Policy

1. Consistency with The Minneapolis Plan and General Principles

Minneapolis housing policy shall be consistent with The Minneapolis Plan, goals 3.1 through 3.83.

2. Affordable Housing

The City of Minneapolis has launched an “Affordable Housing Initiative.” The City of Minneapolis shall have as a clearly stated goal, consistent with The Minneapolis Plan, to grow the population and to have no net loss of housing across all income levels. The City policy will be positive gain on affordable housing units.

Each year the City will create more units affordable at 30-60% of Area Median Income (AMI) through new construction/positive conversion than the number of habitable units affordable to 30-60% of AMI that are demolished as a result of City sponsored projects.

Funding for housing programs serving those above 60% of AMI shall continue and those programs will remain a vital part of the City’s housing policy.

Except for projects funded with the City’s Affordable Housing Trust Fund (AHTF), at least twenty percent (20%) of the units of each City-assisted housing project of ten or more units (whether rental or ownership) will be affordable to and occupied by households earning sixty percent (60%) or less of the Area Median Income (AMI). For projects with ten or more units that have been awarded funds from the AHTF, at least twenty percent (20%) of the units will be affordable to and occupied by households earning fifty percent (50%) or less of the AMI. The affordability period for City-assisted projects subject to these requirements is a period equal to the greater of (a) the term of the assistance, (b) the period of affordability required by the funding source or (c) fifteen (15) years. For the purposes of this provision, City-assisted shall mean financial assistance provided by the City in the form of tax increment financing, condemnation, land buy downs, issuance of bonds to finance the project, pass-through funding for purposes other than pollution remediation and other forms of direct subsidy. Pass-through funding for pollution remediation alone will not trigger the Affordable Housing Policy requirements. Any specific projects requesting exemptions to this requirement must seek City Council approval on the basis of alternative public purpose.

The City will have a coordinated housing and economic development strategy. New affordable housing will be targeted for designated growth areas and commercial and transit corridors that can benefit from and support increased housing density.

The City will focus on linking incentives to housing opportunities in proximity to jobs and transit.

No City funds or resources shall be used for operating subsidies and/or rental assistance for any units or projects initiated or created under this policy.

3. SRO Replacement

The City of Minneapolis prohibits the demolition/condemnation/elimination of SRO-type housing for any project receiving City assistance in the City of Minneapolis, as defined above, unless demolition/condemnation is unavoidable, in which case replacement of such units will be required as part of the project finance plan.

4. Senior Housing

The City has the following goals and objectives:

- Support development of affordable and mixed-income senior rental housing in all quadrants of Minneapolis. Senior rental housing may include independent rental, congregate, and/or assisted living projects;
- Seek opportunities for public and private partnerships;
- Seek new financing options outside of existing affordable housing resources;
- Identify appropriate sites for senior rental housing development based on market information, not solely on opportunity. Locate senior developments close to transit, retail and services;
- Ensure quality management and supportive services;
- Encourage high quality design and amenities.

4a. Senior Housing Initiative

The City of Minneapolis will experience a need for more senior housing options over the next generation. This initiative will help make Minneapolis a fully generational city by providing and focusing on senior housing needs and options so that, as our population ages, senior residents can maintain a household in the city and not be forced to find suitable living arrangements elsewhere. To achieve this, the Minneapolis City Council adopts this Senior Housing Initiative and incorporates it as part of the overall Unified Affordable Housing Policy.

The Senior Housing Initiative will enhance and create affordable housing options in each ward of the City of Minneapolis over the next 12 years. To accomplish this goal, the Council adopts the following goals and objectives which will be incorporated into the CPED Senior Housing Initiative:

1. Partner with the development community to create one new senior housing project of at least 35 units in each ward of the city by 2025.
2. Set aside 30% of the annual Affordable Housing Trust Fund budget for senior rental housing financing.
3. Set aside 25% of the annual Housing Revenue Bond Allocation for senior housing.
4. City Council will make it a goal to budget \$1.5 million annually for an owner occupied rehab program of which \$1 million will be set-aside for senior households.
5. CPED will report out on the number of senior housing units created or enhanced as part of the annual Affordable Housing Initiative Report.

The City Council directs CPED to develop strategies and procedures to implement the Senior Housing Initiative.

5. Preservation/Stabilization of Federally Subsidized Low Income Housing

The preservation and stabilization of federally (HUD) subsidized rental housing that is in danger of converting to market-rate housing, having subsidies expire, or is deteriorating due to poor management, is a priority for the City. The highest priority is the preservation of subsidized housing for families with children (2+ bedroom units). Federally subsidized housing for singles (efficiency and 1 bedroom units) should only be preserved to the extent there are federal funds available, with the exception of special needs populations.

6. Homeless Housing

We must address the affordable housing crisis if we ever hope to alleviate homelessness in Hennepin County. The major problem underlying shelter use is the lack of affordable permanent and supportive housing. The metropolitan region is experiencing a severe shortage of affordable housing which is exacerbating homelessness in our community and there is a need for a metropolitan-wide response to issues of homelessness.

The City of Minneapolis will be an active partner in the City-County Homeless Task Force to address the housing needs of the homeless.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby approves the tentative settlement of lawsuit of Ronald and Julie Folger v. City of Minneapolis by permitting plaintiffs to apply for rental licenses prior to the expiration of the five-year ineligibility period under Minneapolis Code of Ordinances, Section 244.1910(13)(a), and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes the negotiation and execution of contracts for the Business Technical Assistance Program (B-TAP), consistent with the recommendations contained in the Department of Community Planning & Economic Development (CPED) staff report contained in File No. 16-00300, subject to modifications as approved by the CPED Director.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The COMMUNITY DEVELOPMENT & REGULATORY SERVICES and WAYS & MEANS Committees submitted the following reports:

The Minneapolis City Council hereby authorizes:

1. Acceptance of environmental grants awarded in the Fall 2015 Brownfield Grant Round, as follows:

Minnesota Department of Employment and Economic Development (DEED) Grants for the following projects:

1. 43rd & Upton , \$230,755
2. 4041 Hiawatha, \$103,099
3. ABC Industrial, \$159,882
4. Kraus-Anderson Block, \$761,106
5. T3, \$441,885
6. Target Field Station Office Building, \$148,942

Metropolitan Tax Base Revitalization Account (TBRA) Grants for the following projects:

1. 117 - 27th, \$175,300
2. 4041 Hiawatha, \$58,800
3. ABC Industrial, \$150,000
4. Aeon Prospect Park, \$201,300
5. Great River Landing, \$187,200
6. PPL Youthlink, \$110,000
7. Target Field Station Office Building, \$477,900

2. Execution of grant, subrecipient and/or disbursement and related agreements for said grants.

3. Passage of Resolution 2016R-082 approving appropriation of funds to the Department of Community Planning & Economic Development.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-082
By Goodman and Quincy**

Amending the 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended as follows:

1. Increasing the appropriation for the Community Planning & Economic Development (CPED) Agency in the Grants-Other Fund (01600-8900320) by \$1,829,833.
2. Increasing the appropriation for the CPED Agency in the Grants-Other Fund (01600-8900220) by \$1,376,336.
3. Increasing the CPED Agency revenue source in the Grants-Other Fund (01600-8900900-321508) by \$1,845,669.

4. Increasing the CPED Agency revenue source in the Grants-Other Fund (01600-8900900-322503) by \$1,360,500.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The Minneapolis City Council hereby:

1. Approves the final design, budget, and schedule for the Target Center Renovation Project generally described in the staff report contained in File No. 16-00301.

2. Approves Mortenson's Guaranteed Maximum Price (GMP) of \$102.8 million and authorizing an amendment to the Construction Manager at Risk Agreement incorporating the GMP and other material terms outlined in the staff report.

3. Authorizes the following additional agreements and amendments contemplated by the Renovation Agreement: 1) *Project "Go Ahead Letter"*; 2) *Financing Disbursement Agreement*; 3) *Target Center Operating Agreement Amendments*; 4) *Target Center Playing Agreement Amendments*.

4. Authorizes amendments to the following project agreements to incorporate changes necessitated by the revised construction schedule: 1) Project Architect Agreement Amendments; 2) Project Owners Representative Agreement Amendments; 3) Outside Legal Counsel Agreement Amendments.

5. Authorizes a contract with Berkley Assurance Company for Owners Protective Professional Indemnity insurance based on acceptance of their low bid.

6. Authorizes the appropriation of \$128.9 million in project costs incurred to be repaid by City financing, AEG payments, and Timberwolves/Lynx payments as outlined in the Renovation Agreement.

7. Authorizes the appropriation of additional funds through the Target Center Fund for City Permit Fees, Sales Taxes, Financing Fees, and other non-GMP expenses.

8. Authorizes a Pedestrian Bridge Easement Agreement with the Minnesota Ballpark Authority and the Twins organization.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Quincy, Palmisano, President Johnson (10)

Noes: Cano, Bender, A. Johnson (3)

The report was adopted.

Approved by Mayor Betsy Hodges 3/18/2016.

(Published 3/22/2016)

The INTERGOVERNMENTAL RELATIONS Committee submitted the following reports:

The Minneapolis City Council hereby authorizes a waiver of conflict of interest for Fredrikson & Byron P.A. to provide governmental affairs services for the City.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an amendment to the FY2015 Federal Policies Agenda to include a policy position recommending that the federal Center for Disease Control be authorized by Congress to conduct research on firearms safety and violence prevention.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Intergovernmental Relations Committee, Glidden offered Resolution 2016R-083 supporting Congressional funding for gun violence research.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-083

By Gordon

Supporting Congressional funding for gun violence research.

Whereas, according to the Gun Violence Archive, there were 51,377 incidents of gun violence in the United States in 2014, resulting in 12,518 deaths and 22,886 injuries; and

Whereas, in the United States in 2013, 1,670 children (under 18 years of age) died from gunshots and an additional 9,718 were injured; and

Whereas, suicide and homicide are the second and third leading causes of death among young people under 24 years of age; and

Whereas, in 2014, guns were responsible for 88% of the homicides and 44% of the suicides for people under 24 year of age in the United States; and

Whereas, a mass shooting at Accent Signage Systems in Minneapolis on September 27, 2012 ultimately claimed the lives of seven people, including the gunman; and

Whereas, 89% of homicides of people under 24 years of age in Minneapolis in 2015 were committed with handguns; and

Whereas, of the 49 homicides in Minneapolis in 2015, 39 were committed with firearms; and

Whereas, in Minneapolis in 2015 there were 256 victims of gunshot wounds; and

Whereas, a total of 821 guns were taken off the street by Minneapolis Police in 2015 with 681 of them taken as evidence involving a crime; and

Whereas, African American youth have 20 times, and Latinos 10 times, the homicide rate of non-Latino White youth; and

Whereas, gun violence has once again become the focus of national attention, with recent mass shootings in San Bernardino, at the Umpqua Community College in Oregon, and at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina; and

Whereas, according to Mother Jones' *A Guide to Mass Shootings in America*, there have been at least 73 mass shootings in this country since 1982, defined as an incident that killed at least four people in a public place; and

Whereas, while mass shootings tend to dominate media coverage, there are gun violence injuries occurring every day in many American cities; and

Whereas, in 1996, Congress passed an amendment to restrict federal funding for gun violence research; and

Whereas, dubbed the Dickey Amendment after its author, former U.S. Representative Jay Dickey, it remains in effect today and prohibits funding for the Centers for Disease Control and Prevention ("CDC") to be used "to advocate or promote gun control"; and

Whereas, although the language of the amendment allows funding for research not aimed at advocacy for gun control, in effect it has been interpreted such that no research related to gun violence is funded through the CDC; and

Whereas, in recent years, former Rep. Dickey has publicly expressed his regrets for having authored this amendment; and

Whereas, in a December 1, 2015 letter to U.S. Representative Mike Thompson, Chair of the House Gun Violence Prevention Task Force, Rep. Dickey stated that "research could have been continued on gun violence without infringing on the rights of gun owners, in the same fashion that the highway industry continued its research [on how to reduce head-on collisions on highways] without eliminating the automobile"; and

Whereas, Rep. Dickey also stated in the letter that "scientific research should help answer how we can best reduce gun violence...Doing nothing is no longer an acceptable solution"; and

Whereas, momentum is building to restore funding to the CDC for gun violence research; and

Whereas, in 2012, in the aftermath of the shooting at an elementary school in Newtown, Connecticut, President Barack Obama instructed the CDC to strictly interpret the Dickey Amendment-so that the restriction is on advocacy, not research; and

Whereas, in June 2015, U.S. Representative Carolyn Maloney and U.S. Senator Edward Markey introduced H.R. 2612/S.1473, respectively, to authorize the appropriation of at least \$10 million a year to the CDC for conducting or supporting research on firearms safety or gun violence prevention; and

Whereas, in October 2015, addressing the nation after the mass shooting at Umpqua Community College in Oregon, President Obama said, “We spent over a trillion dollars and passed countless laws and devote entire agencies to preventing terrorist attacks on our soil, and rightfully so. And yet we have a Congress who explicitly blocks us from even collecting data on how we could potentially reduce gun deaths”; and

Whereas, in November 2015, dozens of lawmakers in the U.S. House of Representatives signed a letter urging leaders of the Appropriations Committee to repeal the Dickey Amendment; and

Whereas, in early December of 2015, over 2,000 physicians from nine medical associations publicly urged Congress to repeal the Dickey Amendment, citing gun violence as a public health crisis;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis calls upon Congress to pass, and the President to sign legislation allowing, authorization and appropriation of congressional funding for gun violence research.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby:

1. Approves staff-recommended updates to the City of Minneapolis 2016 Policy Positions as follows:

1. In the Local Government Finance section, on page 3, modify the following statement as follows:
“Diversification of revenue sources and investment options available to local governments, including cities.”
2. In the Capital Bonding section, on page 3, delete “\$609,000” and insert “\$1.029 million”
3. In the Transportation and Transit System Funding section on page 4, insert the following language: “The City supports full state funding for the I-35W and Lake Street Transit/Access project, which will leverage significant federal resources, ensure the timely completion of other related projects, and increase access to jobs and educational opportunities through improved and expanded transit service to currently underserved communities in Minneapolis.”
4. Any related formatting/technical changes needed as a result of these modifications.

2. Approves staff-recommended updates to the City of Minneapolis 2016 Legislative Agenda as follows:

1. In the Capital Investment section, delete "\$609,000" and insert "\$1.029 million".
2. In the Transportation section, add a new statement as follows "The City supports full state funding for the I-35W and Lake Street Transit/Access project, which will leverage significant federal resources, ensure the timely completion of other related projects, and increase access to jobs and educational opportunities through improved and expanded transit service to currently underserved communities in Minneapolis."
3. Any related formatting/technical changes needed as a result of these modifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby approves staff-recommended updates to the City of Minneapolis' 2016 Policy Positions, Public Safety Section as outlined in amended policy position document (File No. 16-00327).

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Intergovernmental Relations Committee, Glidden offered Resolution 2016R-084 calling on Fannie Mae, Freddie Mac and the Federal Housing Finance Authority to Provide Data on the Number and Status of Delinquent Loans in Minneapolis, to Not Sell-Off any Delinquent Mortgages in the City and to Engage in Dialogue with the City about Opportunities to Have these Mortgages Sold to Organizations For Purpose of Foreclosure Prevention.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-084

By Glidden

Calling on Fannie Mae, Freddie Mac and the Federal Housing Finance Authority to Provide Data on the Number and Status of Delinquent Loans in Minneapolis, to Not Sell-Off any Delinquent Mortgages in the City and to Engage in Dialogue with the City about Opportunities to Have these Mortgages Sold to Organizations For Purpose of Foreclosure Prevention.

Whereas, the housing crisis resulted in approximately 5 million mortgage foreclosures of residential housing throughout the country and more than 12,000 foreclosures in the City of Minneapolis during the peak of the foreclosure crisis (2007-2011); and

Whereas, the foreclosures have resulted in disinvestment in neighborhoods having a large concentration of foreclosures; and

Whereas, the high incidence of foreclosures have been linked to an increase in conversions of single family homes from owner-occupied to rental; and

Whereas, persons displaced by foreclosures are facing a scarcity of affordable housing; and

Whereas, federal agencies such as Fannie Mae and Freddie Mac, have been selling pools of delinquent mortgages to bidders of whom most are private investment firms; and

Whereas, Fannie Mae's sale of delinquent mortgages or non-performing loans (NPL) are intended to reduce the number of it seriously delinquent loans that it owns, and stabilize neighborhoods; and

Whereas, the sales have in such cities as Seattle, Richmond (California), East Orange (New Jersey) and Philadelphia have resulted in a reduction in affordable housing and the conversion of owner-occupied homes to rental units; and

Whereas, Fannie Mae has conducted three sales in 2015 and one in 2016 of Non Performing Loans totaling 20,400 loans that have an unpaid principal balance of over \$4 billion and netted approximately 75% of the unpaid principal; and

Whereas, Fannie Mae in 2015 and 2016 conducted two Community Impact Pool sales of NPLs totaling 123 loans that have an unpaid balance of \$23.2 million and were geographically focused; and

Whereas, the Community Impact Pool is structured to attract nonprofit, small investors and minority and women owned businesses; and

Whereas, the Twin Cities Metropolitan area has an active and engaged community of non-profit housing development and community development financial institutions; and

Whereas, the City of Minneapolis is committed to obtaining information regarding delinquent mortgages held by the federal agencies in the city and working with its partners to develop creative solutions to prevent foreclosures and owner to rental conversions; and

Now, Therefore Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis requests that the Federal Housing Finance Agency and the U.S. Department of Urban Development provide the city with information regarding the number and location of delinquent mortgages held in the City.

Be It Further Resolved, that the City of Minneapolis urges the federal agencies to expand the Community Impact Pool program so that a larger portion of non-performing loans can be made available to public and non-profit agencies as part of neighborhood revitalization strategy and continue to require purchasers of the nonperforming loans to offer loan modifications to borrowers and when necessary, property sales to owner occupants and non-profit must be prioritized.

Be It Further Resolved that the City of Minneapolis urges the federal agencies to not sell off any mortgages in the city, to investors until we have worked together to attempt the sale of these precious housing assets to mission-driven non-profits and financial institutions.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby approves an amendment to the Federal Aviation Policy Positions adopted in March 2015 to include a statement that the City supports "maintaining Air Traffic Control (ATC) within the purview of FAA and opposes privatization of ATC."

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT Committee submitted the following reports:

On behalf of the Public Safety, Civil Rights & Emergency Management Committee, Yang offered Ordinance 2016-019 amending Title 16, Chapter 423 of the Minneapolis Code of Ordinances relating to Planning and Development: Small and Underutilized Business Enterprise Program, amending the sunset date of the Small and Underutilized Business Enterprise Program.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2016-019
By Glidden
Intro & 1st Reading: 2/12/2016
Ref to: PSCREM
2nd Reading: 3/18/2016

Amending Title 16, Chapter 423 of the Minneapolis Code of Ordinances relating to Planning and Development: Small and Underutilized Business Enterprise Program.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 423.160 of the above-entitled ordinance be amended to read as follows:

423.160. - Expiration of chapter 423. This chapter of the Minneapolis Code of Ordinances, Chapter 423, shall expire and, absent other action by the city council based on an analysis of the continuing need for the Small and Underutilized Business Enterprise Program, the Small and Underutilized Business Enterprise Program shall cease all operations on ~~April 1, 2016~~ December 1, 2018.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

Approved by Mayor Betsy Hodges 3/18/2016.

(Published 3/22/2016)

On behalf of the Public Safety, Civil Rights & Emergency Management Committee, Yang offered Ordinance 2016-020 amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: In General, repealing Section 427.220 entitled "Congregating on streets or sidewalks."

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2016-020
By Glidden and Yang
Intro & 1st Reading: 1/29/2016
Ref to: PSCREM
2nd Reading: 3/18/2016

Amending Title 17, Chapter 427 of the Minneapolis Code of Ordinances relating to Streets and Sidewalks: In General.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 427.220 of the above-entitled ordinance be and is hereby repealed.

~~**427.220. Congregating on streets or sidewalks.** Three (3) or more persons shall not stand together or near each other in any street or on any footwalk or sidewalk so as to obstruct the free passage for pedestrians, and any persons so standing shall move on immediately after a request to do so made by the mayor, chief of police or any police officer.~~

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

The Minneapolis City Council hereby authorizes an ongoing Memorandum of Understanding to have the Minneapolis Police Department extend its services beyond its jurisdiction for the purpose of providing mutual aid in the form of Special Weapons and Tactics (SWAT) emergency tactical response (known as Operation 100's) to the University of Minnesota Police Department, as set forth in File No. 16-00305.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The PUBLIC SAFETY, CIVIL RIGHTS & EMERGENCY MANAGEMENT and WAYS & MEANS Committees submitted the following reports:

The Minneapolis City Council hereby:

1. Authorizes acceptance of funding from the Minnesota Board of Firefighter and Training Education (MBFTE) under the Round 8 training reimbursement program in the amount of \$66,720, for MBFTE approved training conducted between July 1, 2015 and June 30, 2016.
2. Passage of Resolution 2016R-085 approving appropriation to the Fire Department.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-085
By Yang and Quincy**

Amending the 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants-Other Fund (01600-2800700) by \$66,720, and increasing the revenue source (01600-2800700-321015) by \$66,720.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The Minneapolis City Council hereby:

1. Authorizes a revenue contract with the University of Minnesota in an amount up to \$16,000, for the City of Minneapolis Police Department to provide security services for the Vikings Play-Offs Football game at the TCF Stadium on Jan. 10, 2016.
2. Passage of Resolution 2016R-086 approving appropriation to the Police Department.

The following is the complete text of the unpublished summarized resolution.

**RESOLUTION 2016R-086
By Yang and Quincy**

Amending the 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Police Department-Special Revenue Fund (01210-4005000) by \$16,000, and increasing the revenue source (01210-4005000-345501) by \$16,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The Minneapolis City Council hereby:

1. Authorizes a revenue contract with the Minneapolis Public Housing Authority in an amount up to \$25,000 for the City of Minneapolis Police Department to provide security services at 1707 3rd Ave S for a three-month estimated period beginning March 6, 2016.

2. Passage of Resolution 2016R-087 approving appropriation to the Police Department.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-087
By Yang and Quincy

Amending the 2016 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Police Department-Special Revenue Fund (01210-44002500) by \$25,000, and increasing the revenue source (01210 4002500 345501) by \$25,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

The Minneapolis City Council hereby authorizes a contract with the League of Minnesota Cities for up to \$76,190, for access to the Peace Officer Accredited Training OnLine (PATROL) accredited training for Police Department officers.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an amendment to Contract No. 39925 with the University of Minnesota College of Veterinary Medicine, increasing the amount by \$15,000, for a total contract of \$42,595, to provide funding for expenses exceeding the current 2015-2016 agreement amount for medical services for Police K-9s.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

On behalf of the Transportation & Public Works Committee, Reich offered Resolution 2016R-088 amending Resolution 2016R-012, passed Jan. 15, 2016, to add additional streets to be resurfaced in the Warrington Area Residential Street Resurfacing Project, Special Improvement of Existing Street No. 5279.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-088

By Reich

**2016 STREET RESURFACING PROGRAM
SPECIAL IMPROVEMENT OF EXISTING STREET NO. 5279**

Amending Resolution 2016R-012, entitled “2016 Street Resurfacing Program, Special Improvement of Existing Street No. 5279, Designating the improvement of certain existing streets at the locations described hereinafter”, passed Jan. 15, 2016.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to read as follows to add additional streets to be resurfaced in the Warrington Area Residential Street Resurfacing Project No. 5279H:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of the Minneapolis City Charter, Article IX, Section 9.6(c), by asphalt mill and overlay and other improvements as necessary:

9th St S (5279A)

9th St S from Cedar Ave S to 19th Ave S/Minnehaha Ave.

Kenny Area Residential (5279B)

55th St W, 56th St W, and 57th St W from Irving Ave S to Lyndale Ave S/Co Rd 22;

58th St W from Irving Ave S to Sunrise Dr;

Irving Ave S, Emerson Ave S, Dupont Ave S, Colfax Ave S, and Bryant Ave S from 54th St W to 58th St W;

Girard Ave S and Fremont Ave S from 54th St W to 57th St W;

Aldrich Ave S from 54th St W to Bryant Ave S, and from 57th St W to 58th St W; and

Humboldt Ave S from 56th St W to 57th St W.

Standish Area Residential (5279C)

21st Ave S and 22nd Ave S from 38th St E to 39th St E;

Standish Ave, 24th Ave S, 25th Ave S, 26th Ave S, and 27th Ave S from 38th St E to 40th St E;

23rd Ave S from 35th St E to 40th St E;
28th Ave S from 36th St E to 38th St E;
29th Ave S from 42nd St E to its end approximately 260 feet north of 42nd St E;
30th Ave S and Nokomis Ave S from 39th St E to 42nd St E;
31st Ave S from 40th St E to 42nd St E;
32nd Ave S from 41st St E to 42nd St E;
Dight Ave from 41st St E to 43rd St E;
36th St E from 23rd Ave S to 28th Ave S;
39th St E from Standish Ave to Nokomis Ave S;
40th St E from Standish Ave to 31st Ave S;
41st St E from 30th Ave S to 32nd Ave S; and
43rd St E and 44th St E from Minnehaha Ave to the railroad right-of-way.

Howe Area Residential (5279D)

34th St E and 36th St E from 42nd Ave S to Edmund Blvd;
35th St E from 42nd Ave S to 47th Ave S;
Glabe Lane from 46th Ave S to 47th Ave S;
37th St E from 46th Ave S to Edmund Blvd;
42nd Ave S from 34th St E to 42nd St E;
43rd Ave S, 44th Ave S, 45th Ave S, and Edmund Blvd from 34th St E to 38th St E;
47th Ave S from Park Terrace to 36th St E, and from Glabe Lane to 38th St E;
48th Ave S from 37th St E to 38th St E;
Park Terrace from 34th St E to Isabel Ave (around Seven Oak Oval); and
Isabel Ave from Park Terrace to 47th Ave S.

Diamond Lake Area and Diamond Lake Rd (5279E)

Clinton Ave from Diamond Lake Rd E to 60th St E;
Diamond Lake Rd from Hampshire Dr southwesterly to its end in a cul-de-sac;
3rd Ave S, Clinton Ave, 4th Ave S, and 5th Ave S from 60th St E to 62nd St E;
Oakland Ave, Park Ave, and Columbus Ave from 58th St E to 61st St E;
Park Ave from 61st Ave to Portland Ave;
57th St E, 58th St E, and 59th St E from Portland Ave to Chicago Ave;
58th St E from 2nd Ave S to Clinton Ave;
Chester St from 2nd Ave S to Diamond Lake Lane;
Roslyn Pl from Clinton Ave to Chester St;
Diamond Lake Lane from Portland Ave to 60th St E; and
61st St E from 2nd Ave S to Chicago Ave.

Franklin Ave SE (5279F)

Franklin Ave SE from Thornton St SE to the east half of Emerald St SE (city limits); and
Franklin Ave SE from Cecil St SE to Bedford St SE.

Bryant Ave N (5279G)

Bryant Ave N from 45th Ave N to 53rd Ave N (city limits).

Warrington Area Residential (5279H)

4th Ave S from Lake St E to 38th St E;
3rd Ave S, 5th Ave S, and Oakland Ave S from 36th St E to 42nd St E;

Clinton Ave from 36th St E to approximately 75 feet south of 37th St E;
Clinton Ave from 38th St E to its end in a cul-de-sac approximately 373 feet southerly of 41st St E;
Columbus Ave from 36th St E to ~~37th St E and from 38th St E to 39th St E~~ and from 40th St E to 42nd St E;
37th St E from 2nd Ave S to ~~Park Ave~~ Chicago Ave (includes segments north and south of holding pond);
and
~~38th~~, 39th, 40th, and 41st St E from 2nd Ave S to Chicago Ave.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes Amendment No. 2 to Subordinate Funding Agreement 18 (SFA 18) with the Metropolitan Council, whereby the Metropolitan Council will reimburse the City of Minneapolis up to \$725,000 for work related to the Central Corridor (Green Line) Light Rail Transit (LRT) construction, extending the term of the agreement through 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS Committees submitted the following reports:

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-089 ordering the work to proceed and adopting special assessments for the 2016 Street Resurfacing Program, Standish Area Residential Street Resurfacing Project No. 5279C and Howe Area Residential Street Resurfacing Project No. 5279D.

On motion by A. Johnson, the resolution was amended to extend the payment period for the street resurfacing assessment against the property located at 4234 Dight Ave, PID 07-028-23-31-0148, in the amount of \$12,490.72, from five to ten years.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-089

By Reich and Quincy

2016 STREET RESURFACING PROGRAM

STANDISH AREA RESIDENTIAL STREET RESURFACING PROJECT NO. 5279C AND

HOWE AREA RESIDENTIAL STREET RESURFACING PROJECT NO. 5279D

Ordering the work to proceed and adopting the special assessments for the Standish and Howe Area Residential Street Resurfacing Projects.

Whereas, a public hearing was held on March 1, 2016, in accordance with Minneapolis City Charter, Article IX, Section 9.6 (c), and Minneapolis Code of Ordinances, Section 24.110, to consider the proposed improvements as designated in Resolution 2016R-012, passed January 15, 2016, to consider the proposed special assessments, as on file in the City Engineer's Special Assessments Office, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2016R-012 passed January 15, 2016.

Be It Further Resolved that the assessment for the property located at 4234 Dight Ave, PID 07-028-23-31-0148, in the amount of \$12,490.72 be collected in ten (10) successive equal annual principal installments at an interest rate of 4.2% with collection to begin on the 2017 real estate tax statements.

Be It Further Resolved that the proposed special assessments in the total amount of \$1,137,493.70 for the Standish Area Residential Street Resurfacing Project (Levy 01027, Project No. 5279C) and in the total amount of \$931,505.60 for the Howe Area Residential Street Resurfacing Project (Levy 01027, Project No. 5279D), as on file in the City Engineer's Special Assessments Office, are hereby adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at an interest rate of 3.6%, with collection of the special assessments to begin on the 2017 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at an interest rate of 2.5%, with collection of the special assessments to begin on the 2017 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution, as amended, was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-090 requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$2,069,000 for the purpose of paying the assessed cost of street improvements in the Standish Area Residential Street Resurfacing Project No. 5279C and the Howe Area Residential Street Resurfacing Project No. 5279D.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-090
By Reich and Quincy

Requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$2,069,000 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Standish Area Residential Street Resurfacing Project No. 5279C and the Howe Area Residential Street Resurfacing Project No. 5279D to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-091 ordering the work to proceed and adopting special assessments for the 2016 Unpaved Alley Program, West of Xerxes Ave between 28th St W and Cedar Lake Pkwy, Alley Construction Project No. 2284.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-091

By Reich and Quincy

2016 UNPAVED ALLEY PROGRAM

WEST OF XERXES AVE BETWEEN 28TH ST W AND CEDAR LAKE PKWY

ALLEY CONSTRUCTION PROJECT NO. 2284

Ordering the work to proceed and adopting the special assessments for the 2016 Unpaved Alley Program.

Whereas, a public hearing was held on March 1, 2016, in accordance with Minneapolis City Charter, Article IX, Section 9.6(c), and Minneapolis Code of Ordinances, Section 24.180, to consider the proposed improvements as designated in Resolution 2016R-028 passed Jan. 29, 2016, to consider the proposed special assessments, as on file in the City Engineer's Special Assessments Office, and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2016R-028 passed Jan. 29, 2016.

Be It Further Resolved that the proposed special assessments in the total amount of \$22,108.78, as on file in the City Engineer's Special Assessments Office, be and hereby are adopted and assessed against the benefited properties as Levy 01014, Project No. 2284C.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at ten (10) and that the interest be charged at the rate of 4.2%, with collection of the special assessments to begin on the 2017 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessment of \$150 or less may be paid shall be fixed at one (1) and that the interest be charged at the rate of 2.5%, with collection of the special assessments to be on the 2017 real estate tax statements.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-092 requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$22,110 for the purpose of paying the assessed cost of alley improvements in the 2016 Unpaved Alley Program, West of Xerxes Ave between 28th St W and Cedar Lake Pkwy, Alley Construction Project No. 2284.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-092

By Reich and Quincy

Requesting the Board of Estimate and Taxation authorize the City to issue and sell City of Minneapolis bonds in the amount of \$22,110 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to authorize the City to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of alley improvements in the 2016 Unpaved Alley Program, West of Xerxes Ave between 28th St W and Cedar Lake Pkwy, Alley Construction Project No. 2284, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in ten (10) successive annual installments payable in the same manner as real estate taxes.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes negotiation and execution of a contract with Alliant Engineering, Inc. in an amount not to exceed \$1,235,000 for engineering and design services for the 8th St S Reconstruction Project.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby authorizes an agreement with Minnesota Commercial Railroad in an amount up to \$76,240 for railroad crossing surface installation in conjunction with the E 38th St Reconstruction Project.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-093 entering into an agreement between Hennepin County and the City of Minneapolis reimbursing the City for providing routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis, effective Jan. 1, 2016, through Dec. 31, 2018.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-093

By Reich and Quincy

Entering into an agreement between Hennepin County and the City of Minneapolis reimbursing the City for providing routine maintenance on certain County State Aid routes and bridges in the City of Minneapolis, effective Jan. 1, 2016, through Dec. 31, 2018.

Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis enter into Proposed Road Maintenance Agreement No. PW 19-20-15 with Hennepin County to provide reimbursement to the City for the costs of providing the necessary maintenance services for the roadway system including snow and ice control on downtown roadways, patching and minor repair of downtown streets, street sweeping, rubbish removal, and turf maintenance; maintenance of bridges including surface flushing, street sweeping, snow/ice control and snow removal on bridge sidewalks, rubbish removal, and bridge roadway and waterway navigation lights; maintenance of traffic signal systems including poles, heads, loops, cabinets, controllers, and associated crash or vandalism damage; maintenance of traffic signs; linear lane pavement striping; and other activities.

Be It Further Resolved that the Agreement provides that the City Council delegates to the City's Director of Public Works the authority to make written letter agreements with the County's Director of Transportation for extraordinary maintenance, betterment, and construction or reconstruction, and allocating the costs thereof between the County and the City without coming back to the City Council if the amount is under \$50,000.

Be It Further Resolved that the Agreement provides that the City and County agree to defend, indemnify, and hold each other harmless for their respective work on County roads as provided in the Agreement.

Be It Further Resolved that the total amount of this agreement for 2016 is estimated at \$1,344,740.

Be It Further Resolved that the amount of reimbursement for the years 2017 and 2018 be determined by the three year moving average method.

Be It Further Resolved that the proper City officers are authorized to execute the Agreement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes Change Order No. 1 to Contract No. 39576 with Morcon Construction Company in the amount of \$58,442.33, for a revised contract total of \$4,825,867.33, for various additions, updates, and improvements to parking ramp elevators through Jan. 12, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Transportation & Public Works and Ways & Means Committees, Reich offered Resolution 2016R-094 supporting the submittal of 2016 Hennepin County Bicycle and Sidewalk Grant Program applications and authorizing the commitment of local funds per federal requirements to support approved projects.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-094

By Reich and Quincy

Supporting the submittal of 2016 Hennepin County Bicycle and Sidewalk Grant Program applications and authorizing the commitment of local funds per federal requirements to support approved projects.

Whereas, the City of Minneapolis' goals support walking and bicycling as a vital transportation mode which provides active health benefits; and

Whereas, the City of Minneapolis includes policies and plans to ensure that walking and bicycling throughout the city is safe, comfortable, and pleasant; and

Whereas, the City of Minneapolis desires to continue to improve its walking and bicycling infrastructure; and

Whereas, the Federal, State, and County governments have been and continue to be strong partners in helping to accomplish our walking and bicycling systems that make Minneapolis a walking and bicycle-friendly city; and

Whereas, the City of Minneapolis has previously applied for and received Hennepin County grant funding for bicycling and walking projects;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City of Minneapolis hereby supports and authorizes the Minneapolis Public Works Department to:

1. Submit grant applications for 2016 Hennepin County Bicycle and Sidewalk Grant Program funding which require matching funds.
2. Maintain these facilities for their useful life.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The resolution was adopted.

The Minneapolis City Council hereby authorizes acceptance of the low bid submitted on OP No. 8224 from Fischer Mining, LLC, for an estimated annual expenditure of \$187,400, to furnish and deliver fine aggregate through March 31, 2017, for the Public Works Paving Division, and further authorizes a contract for said service in accordance with City specifications.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The WAYS & MEANS Committee submitted the following reports:

On behalf of the Ways & Means Committee, Quincy offered Ordinance 2016-021 amending Title 2, Chapter 18 of the Minneapolis Code of Ordinances relating to Administration: Purchasing, allowing for donations of City of Minneapolis personal property.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2016-021

By Warsame

Intro & 1st Reading: 2/26/2016

Ref to: WM

2nd Reading: 3/18/2016

Amending Title 2, Chapter 18 of the Minneapolis Code of Ordinances relating to Administration: Purchasing.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 18.160 of the above-entitled ordinance be amended to read as follows:

18.160. Disposal of surplus property. A ~~city~~ department, board or agency of the city may sell, donate or dispose of any ~~personal~~ non-real property ("Surplus Property") belonging to the city, ~~or~~ board, or agency, as the case may be. Whenever the ~~amount of material to be sold will probably value of the~~ Surplus Property is estimated to exceed in value five hundred dollars (\$500.00), the property shall be delivered to the procurement director for sale by bid written notice of the intent to dispose of the Surplus Property by donation shall be delivered to the Purchasing Department. All proceeds of those sales shall be paid into the city treasury. For all property that was given to the city by the federal government or State of Minnesota, the property shall be disposed of in accordance with Minnesota Statutes Annotated, Section 471.64. The Purchasing Department's procurement director or designee shall provide an estimate of the market value of the Surplus Property to the Finance Officer and to the city department, board or agency that wishes to dispose of it. For proposed donations of Surplus Property, the department will present to the City Council a resolution and a recommendation to donate the Surplus Property based upon the principles contained in the city Policy and Procedure for Disposal of Surplus Property. The Policy and Procedure for Disposal of Surplus Property will be prepared and updated by the Finance Department. In all other cases for disposal of surplus property, a city department will follow the procedures set out herein:

~~(1) The department will prepare a listing of surplus property and circulate the list and availability to all city departments, boards, and commissions.~~

~~(2) The list of surplus property still available after step 1 will be submitted to the procurement director.~~

~~(3) The procurement director, along with the department staff, will determine whether the property has a monetary value and if there is a market for the property.~~

~~(4) If the property is determined to have a monetary value and if a market exists, the procurement department will arrange for its sale or exchange by bid or auction, with terms most advantageous to the city.~~

~~(5) If the property is determined to have no monetary value and no market exists, the property will be disposed of in the following order:~~

- ~~a. Offered first to the Minneapolis School District.~~
- ~~b. Donated to non-profit agencies working with the city.~~
- ~~c. Scrapped/junked as the final alternative.~~

~~(6) The originating department is responsible for all costs associated with the transportation, storing, and any other direct costs associated with disposition of the surplus property. Some property that contains hazardous materials cannot be disposed of as junk or scrap and must be handled in accordance with federal and state laws and regulations.~~

~~(7) The finance officer is authorized to establish detailed procedures for implementation of the related ordinance, including time limits and definitions required, exercising the various disposal options.~~

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

The City of Minneapolis hereby directs procurement staff of the Finance & Property Services Department to develop a policy and procedure for disposal of surplus property, and shall report back to the Ways & Means Committee with the policy by the end of June 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The City Council of The City of Minneapolis hereby approves City staff's denial of defense and indemnity pursuant to Minn. Stat. sec. 466.07 subd. 1 for Blayne Lehner in the matter of Luis Daniel Garcia v. Blayne Lehner and the City of Minneapolis, U.S. District Court, District of Minnesota Court File No. 15-03214(SRN/HB) and adopting the relevant factual bases as set forth in numbers 1-36, 40-43 and 63-65 of the Findings of Fact, Conclusions of Law and Recommendation of Chief Administrative Law Judge Tammy L. Pust in Office of Administrative Hearings matter 84-6010-32810.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

Approved by Mayor Betsy Hodges 3/18/2016.

(Published 3/22/2016)

The City Council of The City of Minneapolis hereby approves the settlement of lawsuit Jesse McLemore v. City of Minneapolis, Court File No. 14-CV-04828, in the amount of \$40,000 payable to plaintiff Jesse McLemore and plaintiff's attorneys, and authorizing the City Attorney's Office to execute any documents necessary to effectuate settlement.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The City Council of The City of Minneapolis hereby authorizes a contract amendment with Domestic Abuse Project (DAP) to provide 24-Hour Domestic Abuse Hotline Services, increasing the not-to-exceed amount by \$120,000 for a new total of \$270,000 through Dec. 31, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The City Council of The City of Minneapolis hereby authorizes a Memorandum of Agreement in the amount of \$5,000 with the Local Initiatives Support Corporation (LISC) to engage a consultant to create and implement a development strategy for a Southwest Light Rail Transit (SWLRT) corridor-wide public art program.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The City Council of The City of Minneapolis hereby authorizes a contract increase for Contract No. C-40058 with Lynn Anderson for professional leadership and project advisory services for a new total not-to-exceed \$100,000, and extending through Dec. 31, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The City Council of The City of Minneapolis hereby accepts the low bid of Peterson Companies, Inc. (OP No. 8208) in the amount of \$977,700 to furnish and deliver all labor, materials, and incidentals necessary for the Rainwater Storage and Irrigation System retrofit project for the Minneapolis Convention Center.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The City Council of The City of Minneapolis hereby authorizes amendments to Contract No. C-38702 with Common Sense Consulting by:

1. Increasing the contract by the amount of \$25,000 for a new contract total of \$75,000; and
2. extending the contract term to Mar. 31, 2017, to provide Cultural Intelligence training, Intercultural Development Inventory (IDI) self-assessment and coaching for three program cohorts scheduled throughout 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The City Council of The City of Minneapolis hereby authorizes contracts with True Source IT, LLC; On-Demand Group; and Lancesoft, Inc. for three years through Mar. 20, 2019, for a not-to-exceed amount of \$450,000, with the City's sole option to extend the contract two additional one-year terms or one additional two-year term to provide potential candidates to fulfill specific information technology positions.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The City Council of The City of Minneapolis hereby approves increase to Contract No. C-38446 with Sogeti USA, LLC, of \$800,000 for the support and maintenance of the City's WorkForce Director application software for a not-to-exceed amount of \$1,700,000.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

On behalf of the Ways & Means Committee, Quincy offered Resolution 2016R-095 awarding the sale of a \$74,000,000 Taxable General Obligation Sales Tax Note (Target Center Project), Series 2016 to Wells Fargo Bank, NA and establishing the forms, terms, and security of such obligations; and making findings and providing covenants and directions relating to the issuance of the note.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-095

By Quincy

Authorizing the issuance and sale of a Taxable General Obligation Sales Tax Note (Target Center Project), Series 2016; establishing the forms, terms, and security of such obligations; and making findings and providing covenants and directions relating to the issuance of such obligations.

Resolved by The City Council of The City of Minneapolis:

SECTION 1. BACKGROUND AND AUTHORITY

1.01. The TIF District and Tax Increment Bonds. In accordance with the terms of Resolution 88R-123, adopted by the Council of the City of Minneapolis (the "City") on April 1, 1988, and Resolution 89R-303 adopted by the Council of the City on July 1, 1989, the City issued two series of taxable tax increment bonds designated as the: (i) Taxable General Obligation Redevelopment Bonds (NBA Arena), Series 1988-A, in the original aggregate principal amount of \$14,800,000; and (ii) Taxable General Obligation Redevelopment Bonds (NBA Arena), Series 1989-A, in the original aggregate principal amount of \$5,200,000 (collectively, the "Tax Increment Bonds"). The Tax Increment Bonds were secured by tax increment revenues derived from the NBA Arena Tax Increment Financing District (the "TIF District") established by the Minneapolis Community Development Agency (the "MCDA") in the downtown area

of the City. The proceeds derived from the sale of the Tax Increment Bonds were provided to the MCDA to finance the acquisition and clearance by the MCDA of the land located within the Tax Increment District (the “Land”). Prior to the acquisition of the Land, the MCDA entered into a Second Amended and Restated Development Agreement, dated as of August 5, 1988 (the “Development Agreement”), with Northwest Racquet Swim & Health Clubs, Inc., a Minnesota corporation (“Northwest Racquet”), and the City. Under the terms of the Development Agreement, Northwest Racquet agreed to lease the Land from the MCDA under a ground lease, construct on the Land a multipurpose sports facility, and secure the payment of the principal of and interest on the Tax Increment Bonds through base rent on the ground lease equal to the amount by which the debt service on the Tax Increment Bonds exceeds the tax increment revenues derived from the Tax Increment District.

1.02. Land Development. The Land was leased to Northwest Racquet under a Ground Lease, dated August 5, 1988 (as amended, the “Ground Lease”), between the MCDA and Northwest Racquet. Northwest Racquet transferred its interest in the Ground Lease and its rights and obligations under the Development Agreement to Minnesota Arena Limited Partnership, a Minnesota limited partnership (the “Arena Partnership”). The Arena Partnership constructed a multipurpose sports facility (designated the “Target Center”) on the Land principally to provide an arena for the National Basketball Association team and franchise, commonly known as the Minnesota Timberwolves, initially owned by Minnesota Professional Basketball Limited Partnership, a Minnesota limited partnership (the “Basketball Partnership”).

1.03. Target Center Acquisition. In conjunction with the proposed sale of the Minnesota Timberwolves in 1995 from the Basketball Partnership to Minnesota Timberwolves Basketball Limited Partnership, a Minnesota limited partnership (the “Team Owner”), the MCDA entered into a Target Center Purchase Agreement, dated as of March 1, 1995 (the “Purchase Agreement”), between the MCDA and the Arena Partnership, pursuant to which the MCDA acquired the Target Center from the Arena Partnership for a purchase price of \$54,600,000. The City and the MCDA financed the acquisition of the Target Center from the Arena Partnership through the sale of the following tax-exempt bonds: (i) General Obligation Bonds (Arena Acquisition Project), Series 1995 (the “Series 1995 City Bonds”), issued by the City in the original aggregate principal amount of \$72,000,000 on March 23, 1995, under the terms of Resolution No. 95R-058, adopted by the Council of the City and approved by the Mayor of the City on March 10, 1995; and (ii) Revenue Bonds (Arena Acquisition Project), Series 1995 (the “MCDA Bonds”), issued by the MCDA in the original aggregate principal amount of \$12,650,000 on March 23, 1995, pursuant to Resolution No. 95-1282M, adopted by the Board of Commissioners of the MCDA and approved by the Mayor of the City on March 10, 1995. A portion of the proceeds of the Series 1995 City Bonds were applied to the redemption and prepayment of the Tax Increment Bonds.

1.04. Refunding Series 1995 City Bonds. By the terms of Resolution No. 95R-408, adopted by the Council of the City on December 29, 1995, and approved by the Mayor of the City on January 4, 1995, the City issued its General Obligation Refunding Bonds (Sports Arena Project), Series 1996 (the “Series 1996 City Bonds”), on February 1, 1996, in the original aggregate principal amount of \$67,555,000. The proceeds derived from the sale of the Series 1996 City Bonds were applied to the current refunding of the Series 1995 City Bonds on February 1, 1996.

1.05. Target Center Use Agreements. In order to satisfy certain requirements of the parties, the Target Center was subdivided as follows: (i) a portion of the Land and the Target Center constituting the arena (the “Arena”); and (ii) a portion of the Land and the Target Center constituting the sports and health club (the “Health Club”). The MCDA entered into a Basketball Playing Agreement, dated as of March 1,

1995 (as amended, the "Playing Agreement"), between the MCDA and the Team Owner, as supplemented by a Supplement No. 1 to Basketball Playing Agreement, dated June 15, 2000, between the MCDA and the Team Owner, and as amended by an Amendment to Basketball Playing Agreement, dated November 22, 2013, between the Team Owner and the City, under which the Team Owner agreed to play the home games of the Minnesota Timberwolves in the Arena during the term of the Playing Agreement.

The MCDA entered into an Arena Operating Agreement, dated as of March 1, 1995 (as amended, the "Original Operating Agreement"), between the MCDA and Ogden Entertainment Services, Inc. under which Ogden Entertainment Services, Inc. agreed to operate and manage the Arena, subject to the rights of the Team Owner under the Playing Agreement, for the term of the Original Operating Agreement. The operator of the Arena (the "Operator") has changed on several occasions since 1995. The current Operator is AEG Management TWN, LLC, a Delaware limited liability company ("AEG"), which operates the Arena under an Amended and Restated Arena Lease, Operating, Management, Use and Assurances Agreement, dated and effective as of May 2, 2007 (as amended, the "Current Operating Agreement"), by and between the MCDA and AEG.

The MCDA entered into a Health Club Lease, dated as of March 1, 1995 (as amended, the "Health Club Lease"), between the MCDA and Arena Health Club Limited Partnership (the "Health Club Partnership"), under which the Health Club Partnership agreed to operate the Health Club for the term of the Health Club Lease. The operator of the Health Club (the "Health Club Operator") has changed on several occasions since 1995. The current Health Club Operator is LTF Club Operations Company, Inc., a Minnesota corporation, which obtained its leasehold interest in the Health Club through an Assignment and Assumption of Lease, dated July 26, 2006, by and between Starmark Northwest Realty, L.L.C. and LTF Real Estate Company, Inc. (the "Tenant") and a Sublease Agreement by and between the Tenant and LTF Club Operations Company, Inc. The obligations of Tenant under the Health Club Lease are guaranteed by Life Time Fitness, Inc., a Minnesota corporation, pursuant to the terms of a Lease Guaranty, dated July 26, 2006 (the "Guaranty"). The Health Club Lease has been amended by a First Amendment to Health Club Lease, dated February 1, 2013, between the City and the Tenant, and by a Second Amendment to Health Club Lease, dated January 1, 2014, between the City and the Tenant.

The MCDA entered into a Commission Use and Occupancy Agreement, dated as of March 1, 1995 (the "Commission Use Agreement"), between the Agency and the Metropolitan Sports Facilities Commission (the "Commission"), under which the MCDA granted to the Commission the right to use the Arena for the conduct of amateur sports events for up to fifty event days per year. The Commission entered into a MASC Use Agreement, dated as of March 1, 1995 (the "MASC Use Agreement"), between the Commission, the Minnesota Amateur Sports Commission ("MASC"), and the Operator, under which the Commission granted to MASC the rights and obligations granted to the Commission under the Commission Use Agreement.

1.06. Assignment of MCDA Interests. Under the provisions of an Assignment and Assumption Agreement, effective as of August 1, 2009 (the "Assignment Agreement"), between the MCDA and the City, the MCDA assigned all of its right, title, and interest in the Playing Agreement, the Current Operating Agreement, the Health Club Lease, the Guaranty, and the Commission Use Agreement (collectively, the "Assigned Agreements") to the City and the City accepted and assumed the Assigned Agreements. In addition, under the terms of a quitclaim deed and a bill of sale, the MCDA conveyed all of its interests in the real property and personal property comprising the Target Center to the City.

1.07. Issuance of Series 2009D Bonds and Refunding of Prior Bonds. In accordance with the provisions of Resolution 2009R-581 adopted by the Council of the City on December 4, 2009, and approved by the Mayor on December 4, 2009, the City issued its Taxable General Obligation Tax Increment Refunding Bonds (Target Center Project), Series 2009D (the “Series 2009D Bonds”), on December 30, 2009, in the original aggregate principal amount of \$57,480,000. The proceeds derived from the sale of the Series 2009D Bonds were applied by the City to the redemption and prepayment of the MCDA Bonds and the Series 1996 City Bonds on February 1, 2010.

1.08. Target Center Renovation Agreement. The City, the Team Owner, and AEG have determined to undertake a project for the design, financing, and construction of renovations to the Arena portion of the Target Center (the “Target Center Project”) in order to provide program elements, amenities, and design features that make the Arena competitive as a multi-use, family-oriented entertainment venue while meeting the needs of the Arena’s primary tenants and thereby extending the presence of the Minnesota Timberwolves and the Minnesota Lynx in the Arena. Under the terms of a Target Center Renovation Agreement, dated June 15, 2015 (the “Renovation Agreement”), by and among the City, the Team Owner, and AEG, the parties have agreed to undertake as many of the following improvements as can be completed with the funds available to the parties: (i) the renovation of various premium spaces throughout the Arena; (ii) the renovation and upgrade of the concourse, stair wells, circulation, and public spaces; (iii) modifications to other equipment and mechanical systems of the Arena; (iv) a redesign of the entrances, ticket office, lobby, and façade of the facility; (v) the addition of a new skyway connection to the Arena; (vi) installation of technology upgrades, including a new scoreboard; and (vii) seat replacement.

Under the terms of the Renovation Agreement, the parties have also agreed that the costs of the Target Center Project will not exceed \$128,900,000 and out of such total costs there will be allocated \$102,800,000 to construction costs and the remaining \$26,100,000 will be allocated to site costs, soft costs, the acquisition and installation of furniture, fixtures, and equipment, and a contingency. The Team Owner will contribute \$49,000,000 to the payment of the total costs of the Target Center Project. AEG will contribute \$5,900,000 to the payment of the total costs of the Target Center Project. The City will pay the remaining costs of the Target Center Project.

Section 1.09. Financing of City Contribution. The City is proposing to finance its portion of the costs of the Target Center Project through the issuance of a taxable general obligation of the City. Under the provisions of Laws of Minnesota 1986, Chapter 396, as amended by (i) Laws of Minnesota 1987, Chapter 55, Sections 4-6; (ii) Laws of Minnesota 1989, Chapter 54, Section 2; (iii) Laws of Minnesota 1998, Chapter 404, Sections 71 and 84; (iv) Laws of Minnesota 2009, Chapter 88, Article 4, Sections 11 and 12; and (v) Laws of Minnesota 2012, Chapter 299, Article 3, Sections 2-7 (collectively, the “Capital Projects Act”), the City is authorized to issue general obligation bonds to finance the costs of the Target Center Project and to pledge to the payment of such general obligation bonds the revenues derived from imposition of the sales taxes authorized by the terms of the Capital Projects Act.

SECTION 2. TARGET CENTER PROJECT AND SERIES 2016 NOTE

2.01. Request for Proposals. In accordance with the authorization provided by Resolution 2016R-075, adopted by the Council of the City on February 26, 2016, and approved by the Mayor on March 1, 2016 (the “Authorizing Resolution”), the Council authorized the issuance of obligations of the City to finance the Target Center Project. By Council action on February 12, 2016, the Council authorized the Finance Officer to solicit responses from several financial institutions to a Request for Proposals for Direct

Purchase, Placement Agent, or Investment Banking Services, dated February 22, 2016 (the “Request for Proposals”), in connection with the Target Center Project. The City received several proposals for the direct purchase of a taxable general obligation note of the City. The Finance Officer has selected Wells Fargo Bank, National Association (the “Bank”) as the direct purchaser of the taxable general obligation note of the City in accordance with the terms and conditions of the proposal submitted by the Bank to the City (the “Bank Proposal”). Under the terms of the Bank Proposal, the Bank will provide a direct loan to the City in the principal amount of up to \$74,000,000 to finance the Target Center Project.

2.02. Term Loan Agreement, Term Loan, and Series 2016 Note. Under the provisions of the Bank Proposal, the Bank has proposed to make a term loan to the City to finance the Target Center Project (the “Term Loan”), as evidenced by a Taxable General Obligation Sales Tax Note (Target Center Project), Series 2016 (the “Series 2016 Note”), to be issued by the City in the original aggregate principal amount of up to \$74,000,000. The Term Loan will be made under the terms of a Term Loan Agreement, dated on or after March 1, 2016 (the “Term Loan Agreement”), between the City and the Bank. In the event that it is determined to issue more than one obligation evidencing the Term Loan, each such obligation shall be separately designated but all such obligations are referred to herein collectively as the Series 2016 Note.

2.03. Sales Tax Authority. By the terms of the Capital Projects Act, the City is authorized to impose and has imposed: (i) a sales tax of up to one-half of one percent (0.5%) on retail sales in the City taxable in accordance with the provisions of Minnesota Statutes, Chapter 297A, as amended (the “Sales Tax Act”) and an additional compensation use tax of up to one-half of one percent (0.5%) on uses of property in the City, the sale of which would be subject to the additional sales tax but for the fact such property was sold outside the City (the “Sales and Use Tax”); (ii) a sales tax of not more than three percent (3%) on the gross receipts on retail on-sales of intoxicating liquor and fermented malt beverages occurring in the downtown taxing area (the “Downtown Taxing Area”) of the City (the “Downtown Liquor Tax”); (iii) a sales tax of not more than three percent (3%) on the gross receipts from the furnishing for consideration of lodging provided by a hotel or motel which has more than fifty (50) rooms available for lodging (subject to certain limitations and currently imposed at the rate of two and five-eighths percent (2.625%)) (the “Lodging Tax”); and (iv) a sales tax of not more than three percent (3%) on the gross receipts on all sales of food primarily for consumption on or off the premises by restaurants and places of refreshment that occur within the Downtown Taxing Area (the “Downtown Restaurant Tax”). The Sales and Use Tax, the Downtown Liquor Tax, the Lodging Tax, and the Downtown Restaurant Tax are hereinafter referred to as the “City Sales Taxes.”

Under the provisions of the Capital Projects Act, the revenues received by the City from the imposition of the Sales and Use Tax may be used to: (i) pay amounts to the State of Minnesota to support the new U.S. Bank Stadium in accordance with the terms of Section 297A.994 of the Sales Tax Act and to pay or secure the payment of any principal of, premium, or interest on bonds issued in accordance with the Capital Projects Act; (ii) pay costs to acquire, design, equip, construct, improve, maintain, operate, administer, or promote capital projects, including the Target Center; and (iii) pay, maintain, and fund other purposes authorized by the Capital Projects Act. Under the provisions of the Capital Projects Act, the revenues received by the City from the imposition of the Downtown Liquor Tax, the Lodging Tax, and the Downtown Restaurant Tax must be applied to pay amounts to the State of Minnesota to support the new U.S. Bank Stadium in accordance with the terms of Section 297A.994 of the Sales Tax Act and then solely to pay, secure, maintain, and fund the payment of any principal of, premium on, and interest on any bonds or any other purposes authorized by the Capital Projects Act, including the

Minneapolis Convention Center and the Target Center. All of the City Sales Taxes must not be terminated before January 1, 2047.

2.04. Bond Issuance Authority. The City is authorized by the Capital Projects Act to enter into the Term Loan Agreement, to obtain the Term Loan from the Bank in accordance with the terms of the Term Loan Agreement, to issue the Series 2016 Note, and to apply the proceeds of the Term Loan and the Series 2016 Note to the purposes described above in accordance with the provisions of Minnesota Statutes, Chapter 475, as amended (the "Municipal Debt Act"). The Term Loan and the Series 2016 Note must be sold, issued, and secured in the manner provided in the Municipal Debt Act, but for the purposes of applying the provisions of the Municipal Debt Act, the Capital Projects Act specifically provides that: (i) the debt represented by the Term Loan and the Series 2016 Note shall not be included in computing any debt limitation applicable to the City; (ii) any levy of taxes required by Section 475.61 of the Municipal Debt Act to pay the principal of and interest on the Term Loan and the Series 2016 Note shall not be subject to any levy limitation or be included in computing or applying any levy limitation applicable to the City; (iii) the maturities of the Term Loan and the Series 2016 Note shall not be subject to the maturity limitations of Section 475.54 of the Municipal Debt Act; and (iv) provided that the Board of Estimate and Taxation of the City approves the Term Loan and the Series 2016 Note by a vote of at least five (5) of its members, the Term Loan and the Series 2016 Note may be sold without election.

SECTION 3. APPROVAL OF TERM LOAN AGREEMENT, TERM LOAN, AND SERIES 2016 NOTE

3.01. Findings of the City. The Council hereby finds, determines, and declares that entering into the Term Loan Agreement, obtaining the Term Loan, and issuing the Series 2016 Note, all for the purposes described above, are in the best interests of the City.

3.02. The Term Loan Agreement. The Finance Officer of the City, Interim Finance Officer of the City, and any persons exercising the powers of the Finance Officer (collectively, the "Finance Officer") are hereby authorized to negotiate with the Bank the provisions of the Term Loan Agreement in accordance with the terms of the Authorizing Resolution and this resolution and to execute and deliver the Term Loan Agreement on behalf of the City. The maximum amount of the Term Loan to be made under the provisions of the Term Loan Agreement, as evidenced by the Series 2016 Note, shall be \$74,000,000. The Term Loan shall bear interest at a variable rate per annum approved by the Finance Officer. The Series 2016 Note evidencing the Term Loan may be issued and sold as a temporary obligation under the provisions of Section 475.61, subdivision 6, of the Municipal Debt Act. The authorization to enter into the Term Loan Agreement is effective without any additional action by the Council and shall be undertaken by the Finance Officer on such date or dates and upon the terms and conditions deemed reasonable by the Finance Officer. For purposes of executing the Term Loan Agreement, the Finance Officer is the officer of the City designated to execute and deliver such document on behalf of the City.

The Term Loan Agreement shall be substantially in the form of the Term Loan Agreement now on file with the City with such additions, deletions, or other amendments as the Finance Officer deems necessary or appropriate. The execution and delivery of the Term Loan Agreement shall be conclusive evidence that the Finance Officer has approved any amendments to the form of the Term Loan Agreement on file with the City on the date hereof.

3.03. Issuance of the Series 2016 Note. In order to evidence the Term Loan, the Council hereby authorizes the issuance of the Series 2016 Note on such date and upon the terms and conditions determined by the Finance Officer. The Series 2016 Note shall be issued in the principal amount

described in this resolution, subject to adjustment as the Finance Officer deems appropriate (although the sum of the principal amount of the Series 2016 Note shall not exceed \$74,000,000). The Series 2016 Note shall be designated as set forth in Section 2.02 of this resolution, or shall be designated as otherwise determined by the Finance Officer, and shall be prepared substantially in the form now on file with the City with such additions, deletions, or other amendments as the Finance Officer shall deem necessary or appropriate. The issuance and delivery of the Series 2016 Note shall be conclusive evidence that the Finance Officer has approved any changes to the form of the Series 2016 Note on file with the City on the date hereof. The proceeds derived from the sale of the Series 2016 Note shall be held, transferred, expended, and invested in accordance with the directions of the Finance Officer.

3.04. Execution and Delivery of the Series 2016 Note. The Series 2016 Note shall be executed by the manual or facsimile signature of the Finance Officer, authenticated by the manual signature of the Finance Officer acting in the capacity of registrar of the Series 2016 Note (the "Registrar"), and a facsimile of the corporate seal of the City shall be impressed or printed on the Series 2016 Note (unless the Finance Officer determines to omit the seal of the City). The approving legal opinion of Kennedy & Graven, Chartered, of Minneapolis, Minnesota, as bond counsel, shall accompany the delivery of the Series 2016 Note. When the Series 2016 Note has been duly executed by the Finance Officer and authenticated by the Registrar in accordance with this resolution, the Series 2016 Note shall be delivered to the Bank in accordance with applicable provisions of the Term Loan Agreement. The Series 2016 Note shall not be valid for any purpose until authenticated by the Registrar, who is hereby appointed authenticating agent in accordance with the requirements of the Municipal Debt Act.

SECTION 4. EXECUTION AND DELIVERY OF RELATED DOCUMENTS

4.01. Certificates with respect to the Series 2016 Note. If the Finance Officer finds the same to be accurate, the Finance Officer is authorized and directed to furnish to the Bank, on the date of delivery of the Series 2016 Note, such certificates as are required as a condition of sale of the Series 2016 Note and the effectiveness of the Term Loan Agreement. Unless litigation shall have been commenced and be pending questioning the Term Loan Agreement, the Term Loan, the Series 2016 Note, or the organization of the City or incumbency of its officers, on the delivery date the Finance Officer shall also execute and deliver to the Bank a suitable certificate as to absence of material litigation, and the Finance Officer shall also execute and deliver a certificate as to payment for and delivery of the Series 2016 Note. The Finance Officer shall also execute and deliver: (i) a general certificate of the City; and (ii) such other certificates, instruments, and documents that are required or recommended by the City Attorney or Kennedy & Graven, Chartered, in its capacity as bond counsel to the City. The City shall also deliver the signed approving legal opinion of Kennedy & Graven, Chartered, as to the validity and enforceability of the Series 2016 Note and the Term Loan Agreement.

SECTION 5. PAYMENT; SECURITY; PLEDGES, AND COVENANTS.

5.01. Debt Service Account for the Term Loan. The principal of and interest on the Term Loan, as evidenced by the Series 2016 Note, shall be payable from the debt service account for the Term Loan (the "Term Loan Debt Service Account") established as part of the City's Debt Service Fund. The revenues derived from the City Sales Taxes (the "Revenues") are hereby pledged to the payment of the principal of and interest on the Term Loan, as evidenced by the Series 2016 Note, and shall be deposited in the Term Loan Debt Service Account of the Debt Service Fund; subject, however, to parity claims on such Revenues to be applied to pay amounts to the State of Minnesota to support the new U.S. Bank Stadium in accordance with the terms of Section 297A.994 of the Sales Tax Act, parity claims with

respect to outstanding financial obligations that funded the Minneapolis Convention Center, and parity claims with respect to other obligations of the City payable from the Revenues. If a payment of principal of or interest on the Term Loan becomes due when there is not sufficient money in the Term Loan Debt Service Account to pay the same, the Finance Officer shall pay such principal of and interest on the Term Loan from the general fund of the City, and the general fund will be reimbursed for those advances out of the Revenues derived from the City Sales Taxes, when collected.

5.02. Project Fund for the Proceeds of the Term Loan. The proceeds of the Term Loan, less the appropriations made in Section 5.01, together with any other funds appropriated for the Target Center Project and Revenues which the City elects to apply to the renovations with respect to the Target Center Project will be deposited in separate funds or accounts to be used solely to defray expenses of the Target Center Project, including the payment of the principal of and interest on the Term Loan prior to the completion and payment of all costs of the Target Center Project. When the Target Center Project is completed and the costs thereof paid, the funds and accounts are to be closed and subsequent collections of Revenues for the Target Center Project are to be deposited in the Term Loan Debt Service Account.

5.03. General Obligation Pledge and Tax Levy with respect to the Term Loan. The full faith and credit of the City are irrevocably pledged for payment of the Term Loan and the City has obligated itself to levy ad valorem taxes on all taxable property in the City in the event of any deficiency in the Revenues, which taxes may be levied without limitation as to rate or amount. It is hereby determined that the estimated collections of Revenues and interest thereon for payment of the principal of and interest on the Term Loan will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Term Loan and, therefore, no tax levy is needed at this time.

5.04. Certified Copy of Resolution. The City Clerk is hereby authorized and directed to certify a copy of this resolution and cause the same to be filed with the Director of the Taxpayer Services Department of Hennepin County, exercising the powers of the county auditor under Minnesota Statutes, Section 475.63, and to obtain the certificate of the Director of the Taxpayer Services Department of Hennepin County as to the registration of the Term Loan, as evidenced by the Series 2016 Note.

5.05. Covenant to Appropriate. The City covenants and agrees that it shall (i) include all amounts payable as principal of and interest on the Term Loan for each fiscal year in which such amounts are due and payable in its budget for that fiscal year; (ii) appropriate such amounts from the proper funds for such payments; and (iii) duly and punctually pay or cause to be paid such payments of principal of and interest on the Term Loan.

SECTION 6. MISCELLANEOUS MATTERS RELATING TO THE TERM LOAN

6.01. Enforceability of Term Loan Agreement and Note. All agreements, covenants, and obligations of the City contained in this resolution and in the above-referenced documents shall be deemed to be the agreements, covenants, and obligations of the City to the full extent authorized or permitted by law, and all such agreements, covenants, and obligations shall be binding on the City and enforceable in accordance with their terms. No agreement, covenant, or obligation contained in this resolution or in the above-referenced documents shall be deemed to be an agreement, covenant, or obligation of any member of the Council, or of any officer, employee, or agent of the City in that person's individual capacity. Neither the members of the Council, nor any officer executing the Term Loan Agreement, the Term Note, or the Series 2016 Note shall be liable personally on the Term Loan Agreement, the Term

Note, or the Series 2016 Note or be subject to any personal liability or accountability by reason of the execution of the Term Loan Agreement, the Term Note, or the Series 2016 Note.

6.02. Rights Conferred. Nothing in this resolution or in the above-referenced documents is intended or shall be construed to confer upon any person (other than as provided in the Term Loan Agreement, the Term Note, or the Series 2016 Note and the other agreements, instruments, and documents hereby approved) any right, remedy, or claim, legal or equitable, under and by reason of this resolution or any provision of this resolution.

6.03. Persons Authorized to Execute Documents. If for any reason the Finance Officer or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall for any reason cease to be an officer, employee, or agent of the City after the execution by such person of any certificate, instrument, or other written document, such fact shall not affect the validity or enforceability of such certificate, instrument, or other written document. If for any reason the Finance Officer or any other officers, employees, or agents of the City authorized to execute certificates, instruments, or other written documents on behalf of the City shall be unavailable to execute such certificates, instruments, or other written documents for any reason, such certificates, instruments, or other written documents may be executed by such other officer of the City as in the opinion of the City Attorney is authorized to sign such document.

6.04. Amendments. The authority to approve, execute, and deliver future amendments to the documents executed and delivered by the City in connection with the transactions contemplated by this resolution is hereby delegated to the Finance Officer, subject to the following conditions: (i) such amendments do not require the consent of the Bank or, if required, such consent has been obtained; (ii) such amendments do not materially adversely affect the interests of the City as the issuer of the Term Loan Agreement, the Term Note, and the Series 2016 Note; (iii) such amendments do not contravene or violate any policy of the City; (iv) such amendments are acceptable in form and substance to the City Attorney, bond counsel, or other counsel retained by the City to review such amendments; and (v) such amendments do not materially prejudice the interests of the Bank or other owners of the Term Loan Agreement, the Term Note, and the Series 2016 Note. The authorization hereby given shall be further construed as authorization for the execution and delivery of such certificates and related items as may be required to demonstrate compliance with the agreements being amended and the terms of this resolution. The execution of any instrument by the Finance Officer shall be conclusive evidence of the approval of such instruments in accordance with the terms hereof. In the absence of the Finance Officer, any instrument authorized by this paragraph to be executed and delivered by the Finance Officer may be executed by such other officer of the City as in the opinion of the City Attorney is authorized to execute and deliver such document.

6.05. Effective Date. This Resolution shall take effect and be in force from and after its approval and publication.

On roll call, the result was:

Ayes: Reich, Frey, Yang, Warsame, Goodman, Glidden, Bender, Quincy, Palmisano, President Johnson (10)

Noes: Gordon, Cano, A. Johnson (3)

The resolution was adopted.

Approved by Mayor Betsy Hodges 3/18/2016.

(Published 3/22/2016)

The ZONING & PLANNING Committee submitted the following reports:

The Minneapolis City Council hereby grants an appeal submitted by Ben Graves of Graves Hospitality, regarding the City Planning Commission decision denying a variance (BZZ-7544) of the front yard setback requirement along Emerson Ave S from 15 feet to zero feet, for a new six-story hotel with 123 rooms for the property located at 1121 W Lake St and 3005 Emerson Ave S, and adopts staff findings.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby denies an appeal submitted by Philip Qualy, et al, regarding the following City Planning Commission decisions approving applications (BZZ-7544) for a new six-story hotel with 123 rooms for the property located at 1121 W Lake St and 3005 Emerson Ave S:

1. A conditional use permit to increase height in the C3A district from 4 stories, or 56 feet, to 6 stories, 72.5 feet, subject to conditions.
2. A variance to increase the maximum floor area ratio from 2.7 to 3.78.
3. A variance to reduce the east rear yard setback requirement from 15 feet to zero, subject to conditions.
4. A variance to reduce the minimum loading requirement from one large space to zero.

Further, staff findings were adopted and the project's conditions of approval were modified by adding the following: The applicant shall ensure that the Travel Demand Management plan reflects the location of valet parking and its associated vehicle circulation. The valet parking shall comply with Chapter 541 of the zoning ordinance. The applicant shall obtain approval of the TDM plan from CPED and Public Works prior to the issuance of a building permit for the development.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report was adopted.

The Minneapolis City Council hereby approves the following actions for portions of Main St NE and 30th Ave NE:

1. A Street Vacation and Alley Easement Agreement, as outlined in the CPED staff report.
2. An application submitted by BNSF Railway Company to vacate the right-of-way of Main St NE from 29th Ave NE to 31st Ave NE, and the right-of-way of 30th Ave NE, west of Main St NE; and adopts staff findings.
3. The acquisition of the alley easement, consistent with the Comprehensive Plan.
4. Passage of Resolution 2016R-096 approving Vac-1634.

March 18, 2016

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-096

By Bender

Vacating Main Street Northeast from 29th Avenue Northeast to 31st Avenue Northeast and a portion of the right-of-way of 30th Avenue Northeast, west of Main Street Northeast (Vacation 1634).

Resolved by The City Council of The City of Minneapolis:

That portions of the right of way of Main Street Northeast and 30th Avenue Northeast, legally described as:

Commencing at the SE corner of Section 3, Township 29 North, Range 24 West, thence run north along the east line of said Section 3, for a distance of 30 feet to the Point of Beginning of the property to be described: thence run northerly along said east line to a point distant 40 feet south of the NE corner of the SE 1/4 of the SE 1/4 of said Section 3; thence run west to the NE corner of Lot 1, Block 1, NORTHTOWN ADDITION TO MINNEAPOLIS, HENNEPIN COUNTY, MINNESOTA; thence run south to the SE corner of Lot 14, said Block 1; thence run west along the southerly line of said Block 1 to a point distant 25 feet east of the SW corner of said Block 1; thence run south to a point on the northerly line of Lot 1, Block 8, said NORTHTOWN ADDITION distant 25 feet east of the NW corner of Lot 1, said Block 8; thence run east to the NE corner of said Lot 1; thence run south to the SE corner of Lot 14, Block 8; thence run east to the Point of Beginning are hereby vacated.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and resolution were adopted.

On behalf of the Zoning & Planning Committee, Bender offered Ordinance 2016-022 amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations, simplifying the required findings for Certificate of Appropriateness applications.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2016-022

By Warsame

Intro & 1st Reading: 11/20/2015

Ref to: Z&P

2nd Reading: 3/18/2016

Amending Title 23, Chapter 599 of the Minneapolis Code of Ordinances relating to Heritage Preservation: Heritage Preservation Regulations.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That the definition of Planning director contained in Section 599.110 of the above-entitled ordinance be amended to read as follows:

Section 599.110. Definitions.

Planning director. The director of the ~~representative~~ department of community planning and economic development or their designee.

Section 2. That Section 599.115 of the above-entitled ordinance be amended to read as follows:

Section 599.115. Concurrent review. For the efficient administration of this preservation ordinance, whenever a project or proposal requires more than one (1) application for review by the planning director, heritage preservation commission, city planning commission and the board of adjustment, including but not limited to certificate of appropriateness, certificate ~~on~~ of no change, historic variance, and transfer development rights, all applications shall be processed concurrently. Land use reviews by the zoning administrator, city planning commission, and the board of adjustment shall not be regulated by this section.

Section 3. That Section 599.175 of the above-entitled ordinance be amended to read as follows:

599.175. Fees. (a) *Established.* In recognition of the cost of services performed and work and materials furnished, persons who desire to avail themselves of the privileges granted them under the heritage preservation ordinance shall pay fees in the amount listed in Table 599-1, Fees.

Table 599-1 Fees

Application Type	Fee (Dollars)
Appeal of the ruling of the heritage preservation commission	350.00
Appeal of the ruling of the zoning administrator, planning director, or other official involved in the administration or the enforcement of this preservation ordinance	350.00
Certificate of no change	0.00
Certificate of appropriateness	
alteration	
0—5,000 sf of lot area	250.00
5,001—9,999 sf of lot area	450.00
10,000—43,559 sf of lot area	750.00
43,560 sf of lot area or more	950.00
Certificate of appropriateness	
new construction	
0—9,999 sf of lot area	450.00
10,000—43,559 sf of lot area	750.00
43,560 sf of lot area or more	950.00
Conservation certificate - administrative review	0.00
Conservation certificate - public hearing review	
alteration	
0—5,000 sf of lot area	250.00

5,001—9,999 sf of lot area	450.00
10,000—43,559 sf of lot area	750.00
43,560 sf of lot area or more	950.00
Conservation certificate – public hearing review	
new construction	
0—5,000 sf of lot area	250.00
5,001—9,999 sf of lot area	450.00
10,000—43,559 sf of lot area	750.00
43,560 sf of lot area or more	950.00
Conservation district plan	350.00
Demolition of historic resource	350.00
Historic review letter	150.00
Historic variance	250.00
Transfer of development rights	350.00

(b) *Postage and publication.* For applications requiring notice of a public hearing to affected property owners, the applicant shall pay the cost of first class postage based on the number of property owners to be notified. In addition, for applications requiring publication in a newspaper of general circulation, the applicant shall pay a fee of twenty-five dollars (\$25.00).

(c) *Continuance.* After notification of a public hearing has taken place, a request by the applicant to continue an application to a subsequent public hearing of the heritage preservation commission shall be charged a fee totaling one hundred fifty dollars (\$150.00) when such request is granted. The fee shall be paid prior to the subsequent public hearing.

(d) *Forms and payment of fees.* The zoning administrator shall provide applicants with forms, designating therein the amount of fees to be paid. All fees shall be payable to the city finance officer.

(e) *Refund of fees.*

(1) *Incomplete applications.* If an applicant fails to provide a complete application and the application is withdrawn by the applicant or is deemed withdrawn and returned pursuant to section 599.160(b), the city shall retain the first one hundred dollars (\$100.00) of the total fees paid for the project. Any sum paid over the amount to be retained shall be refunded.

(2) *Complete applications.* If an applicant withdraws a complete application before the scheduled public hearing, or in the case of an application for administrative review, before the application is decided by the planning director or zoning administrator, the city shall retain the first one hundred dollars (\$100.00) of the total fees paid for the project, or such proportion of the fee paid as determined by the costs to the city to process the application up to the time it was withdrawn compared to the costs to completely process the application, whichever is greater. Any sum paid over the amount to be retained shall be refunded. If the scheduled public hearing is held, or if the application is decided by the planning director or the zoning administrator, no fees shall be refunded, whether or not the application is withdrawn, approved or denied.

(3) *Exception.* The city shall refund the total amount of the fees paid for any application that was accepted by the planning director or zoning administrator in error.

Section 4. That Section 599.300 of the above-entitled ordinance be amended to read as follows:

599.300. Design guidelines. The commission ~~shall~~ may adopt design guidelines for landmarks and historic districts. Prior to adoption, the planning director shall submit all proposed design guidelines to the state historic preservation officer for review and comment. The state historic preservation officer shall have sixty (60) days from said date of submittal to provide comments to the planning director.

Section 5. That Section 599.350 of the above-entitled ordinance be amended to read as follows:

599.350. Required findings for certificate of appropriateness.

~~(a) In general. Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings based upon, but not limited to, the following:~~

~~(1) The alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.~~

~~(2) The alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.~~

~~(3) The alteration is compatible with and will ensure continued integrity of the landmark or historic district for which the district was designated.~~

~~(4) The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.~~

~~(5) The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.~~

~~(6) The certificate of appropriateness conforms to all applicable regulations of this preservation ordinance and is consistent with the applicable policies of the comprehensive plan and applicable preservation policies in small area plans adopted by the city council.~~

~~(b) Destruction of any property. Before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make findings that the destruction is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the property a reasonable opportunity to act to protect it.~~

~~(c) Adequate consideration of related documents and regulations. Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the~~

~~commission shall make findings that alterations are proposed in a manner that demonstrates that the applicant has made adequate consideration of the following documents and regulations:~~

~~(1) The description and statement of significance in the original nomination upon which designation of the landmark or historic district was based.~~

~~(2) Where applicable, Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review.~~

~~(3) The typology of treatments delineated in the Secretary of the Interior's Standards for the Treatment of Historic Properties and the associated guidelines for preserving, rehabilitating, reconstructing, and restoring historic buildings.~~

~~(d) Additional findings for alterations within historic districts. Before approving a certificate of appropriateness that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:~~

~~(1) The alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.~~

~~(2) Granting the certificate of appropriateness will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.~~

~~(3) The certificate of appropriateness will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.~~

(a) The heritage preservation commission shall make each of the following findings before approving a certificate of appropriateness:

(1) The alteration is compatible with the designation of the landmark or historic district, including the period and criteria of significance.

(2) The alteration will ensure the continued integrity of the landmark or historic district.

(3) The alteration is consistent with the applicable design guidelines adopted by the commission.

(4) The alteration is consistent with the applicable recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.

(5) The alteration is consistent with the spirit and intent of the preservation ordinance, the applicable policies of the comprehensive plan, and the applicable preservation policies in small area plans adopted by the city council.

(b) In addition to the findings in subdivision (a) above, before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make the following findings:

- (1) The destruction is necessary to correct an unsafe or dangerous condition on the property; or
- (2) That there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to:
 - a. The significance of the property;
 - b. The integrity of the property; and
 - c. The economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses.

Section 6. That Section 599.420 of the above-entitled ordinance be amended to read as follows:

599.420. Required findings for certificate of no change. ~~(a) In general. Before approving a certificate of no change, and based upon the evidence presented in each application submitted, the planning director shall make findings based upon, but not limited to, the following:~~

- ~~(1) The minor alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.~~
- ~~(2) The minor alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.~~
- ~~(3) The minor alteration is compatible with and will ensure continued integrity of the landmark or historic district for which the district was designated.~~
- ~~(4) The minor alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.~~
- ~~(5) The minor alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.~~
- ~~(6) The certificate of no change conforms to all applicable regulations of this preservation ordinance and is consistent with the applicable policies of the comprehensive plan.~~

~~(b) Additional findings for alterations within historic districts. Before approving a certificate of no change that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:~~

- ~~(1) The minor alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.~~
- ~~(2) Granting the certificate of no change will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.~~

~~(3) The certificate of no change will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.~~

The planning director shall make each of the following findings before approving a certificate of no change:

(1) The minor alteration is compatible with the designation of the landmark or historic district, including the period and criteria of significance.

(2) The minor alteration will ensure the continued integrity of the landmark or historic district.

(3) The minor alteration is consistent with the applicable design guidelines adopted by the commission.

(4) The minor alteration is consistent with the applicable recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.

(5) The minor alteration is consistent with the spirit and intent of the preservation ordinance, the applicable policies of the comprehensive plan, and the applicable preservation policies in small area plans adopted by the city council.

Section 7. That Section 599.480 of the above-entitled ordinance be amended to read as follows:

599.480. Commission decision. (a) *In general.* If the commission determines that the property is not an historic resource, the commission shall approve the demolition permit. If the commission determines that the property is an historic resource, the commission shall deny the demolition permit and direct the planning director to prepare or cause to be prepared a designation study of the property, as provided in section 599.230, ~~or shall approve the demolition permit as provided in this section unless the applicant meets their burden of proof with regard to subdivision (b) below.~~

~~(b) *Destruction of historic resource.* Before approving the demolition of a property determined to be an historic resource, the commission shall make findings that the demolition is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the demolition. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for up to one hundred eighty (180) days to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it.~~

(b) *Destruction of historic resource.* Before approving the demolition of a property determined to be an historic resource, the commission shall make the following findings:

(1) The destruction is necessary to correct an unsafe or dangerous condition on the property; or

(2) That there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to:

a. The significance of the property;

b. The integrity of the property; and

c. The economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses.

(c) *Mitigation plan.* The commission may require a mitigation plan as a condition of any approval for demolition of an historic resource. Such plan may include the documentation of the property by measured drawings, photographic recording, historical research or other means appropriate to the significance of the property. Such plan also may include the salvage and preservation of specified building materials, architectural details, ornaments, fixtures and similar items for use in restoration elsewhere.

(d) *Demolition delay.* The commission may stay the release of the building, wrecking or demolition permit for up to one hundred eighty (180) days as a condition of approval for a demolition of an historic resource ~~if the resource has been found to contribute to a potential historic district~~ to allow parties interested in preserving the historic resource a reasonable opportunity to act to protect it. The release of the permit may be allowed for emergency exception as required in section 599.50(b).

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

The Minneapolis City Council hereby approves the following:

1. The Linden Hills Rezoning Study, and adopts staff findings including the finding that obtaining consent signatures for the rezoning of properties from residential to commercial in the Linden Hills Rezoning Study would be impractical.

2. Passage of Ordinance 2016-023 amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code, revising the Linden Hills Overlay District and Pedestrian Oriented Overlay District:

1. Chapter 521 Zoning Districts and Maps Generally.

2. Chapter 551 relating to Overlay Districts.

3. Passage of Ordinance 2016-024 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally, amending the zoning map as part of a rezoning study consistent with the guidance of the Linden Hills Small Area Plan.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and ordinances were adopted.

The following is the complete text of the unpublished summarized ordinances.

ORDINANCE 2016-023

By Palmisano

Intro & 1st Reading: 11/6/2015

Ref to: Z&P

2nd Reading: 3/18/2016

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning Code.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.10 contained in Chapter 521, Zoning Districts and Maps Generally, be amended to read as follows:

521.10. Establishment of zoning districts. In order to carry out the purposes and provisions of this zoning ordinance, the city shall be divided into the following zoning districts:

(1) *Residence Districts.*

R1 Single-family District
R1A Single-family District
R2 Two-family District
R2B Two-family District
R3 Multiple-family District
R4 Multiple-family District
R5 Multiple-family District
R6 Multiple-family District

(2) *Office Residence Districts.*

OR1 Neighborhood Office Residence District
OR2 High Density Office Residence District
OR3 Institutional Office Residence District

(3) *Commercial Districts.*

C1 Neighborhood Commercial District
C2 Neighborhood Corridor Commercial District
C3A Community Activity Center District
C3S Community Shopping Center District
C4 General Commercial District

(4) *Industrial Districts.*

I1 Light Industrial District
I2 Medium Industrial District
I3 General Industrial District

(5) *Downtown Districts.*

B4 Downtown Business District
B4S Downtown Service District
B4C Downtown Commercial District
B4N Downtown Neighborhood District

(6) *Overlay Districts.*

PO Pedestrian Oriented Overlay District
~~LH Linden Hills Overlay District~~
IL Industrial Living Overlay District
TP Transitional Parking Overlay District
SH Shoreland Overlay District
FP Floodplain Overlay District

MR Mississippi River Critical Area Overlay District
DP Downtown Parking Overlay District
B4H Downtown Housing Overlay District
DH Downtown Height Overlay District
NM Nicollet Mall Overlay District
HA Harmon Area Overlay District
AP Airport Overlay District
WB West Broadway Overlay District
UA University Area Overlay District
DS Downtown Shelter Overlay District

Section 2. That Section 551.175 contained in Chapter 551, Overlay Districts, be amended to read as follows:

~~**551.175. — Transit Station areas.** The following additional regulations shall govern development within PO Overlay Districts in and around the following existing or proposed transit stations, as shown on the official zoning maps:~~

~~Cedar Riverside LRT Station
Franklin Avenue LRT Station
Lake Street/Midtown LRT Station
38th Street LRT Station
46th Street LRT Station
50th Street/Minnehaha Park LRT Station
VA Medical Center LRT Station
West Bank LRT Station
Stadium Village LRT Station
Prospect Park LRT Station~~

~~(1) *Prohibited uses.* The following uses shall be prohibited in the PO Overlay District:~~

- ~~a. Self service storage.~~
- ~~b. Commercial parking lots, including the expansion of any existing commercial parking lot.~~
- ~~c. The conversion of any accessory parking lot to a commercial parking lot.~~

~~(2) *Wholesaling, warehousing and distribution; furniture moving and storage.* Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.~~

~~(3) *Density bonuses.* Where the primary zoning district or Industrial Living Overlay District provide a density bonus of twenty (20) percent, such bonus shall be thirty (30) percent.~~

~~(4) *Minimum floor area.* New development shall be subject to a minimum floor area ratio requirement, as specified in Table 551-0, Transit Station Area Minimum Floor Area Ratio Requirements. Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.~~

Table 551-0 Transit Station Area Minimum Floor Area Ratio Requirements

Transit Station Area	Minimum FAR		
	Commercial, OR2 and OR3 Districts	Industrial Districts	Residence and OR1 Districts
Cedar-Riverside	1.0	1.0	none
Franklin Avenue	1.0	1.0	none
Lake Street/Midtown	1.0	1.0	none
38th Street	1.0	1.0	none
46th Street	1.0	1.0	none
50th Street/Minnehaha Park	1.0	1.0	none
VA Medical Center	1.0	1.0	none
West Bank	1.0	1.0	none
Stadium Village	1.0	1.0	none
Prospect Park	1.0	1.0	none

(5) Off-street parking.

a. Multiple-family dwellings. The minimum off-street parking requirement for multiple-family dwellings in close proximity to frequent transit service may be reduced as authorized by Chapter 541, Off-Street Parking and Loading, except in the following transit station areas, where the minimum off-street parking requirement for multiple-family dwellings shall be seventy (70) percent of the number specified in the UA University Area Overlay District: Cedar-Riverside, West Bank, Stadium Village, and Prospect Park.

551.175. - Linden Hills area. (a) The following additional regulations shall govern development within the PO Overlay District within the commercial areas at the intersections of 43rd Street and Upton, 44th Street and Beard, and 44th Street and France and the multiple family residence districts along 44th Street West between Upton and Xerxes Avenues and between Chowen and France Avenues, and along France Avenue between 45th Street West and 46th Street West as shown on the official zoning map:

(1) Off-site parking. Notwithstanding any other provision to the contrary, off-site parking serving nonresidential uses in the Linden Hills area may be located in any commercial district and may be located in the residence and office residence districts. In the residence and office residence districts the off-site parking area shall be accessory to an institutional or public use and shall be existing on the effective day of this ordinance.

(2) Fourth story step back. The fourth story of any commercial building or multiple-family dwelling, and any story above the fourth, shall be stepped back ten (10) feet from any building wall that faces a public street.

(3) Commercial buildings and multiple-family dwellings abutting residence districts.

a. The top floor of a building of three (3) or more stories shall be stepped back not less than ten (10) feet from any building wall below it abutting R1, R1A, R2 or R2B zoned property, or the entire building of three (3) or more stories shall be set back not less than ten (10) feet from the applicable interior side or rear yard setback required from abutting R1, R1A, R2 or R2B zoned property.

b. A continuous screen not less than three (3) feet or more than six (6) feet in height shall be provided between any commercial building or multiple-family dwelling and abutting R1, R1A, R2 or R2B zoned property. Required screening shall be at least ninety-five percent (95%) opaque throughout the year and shall be satisfied by a hedge, decorative fence, or masonry wall.

Section 3. That Section 551.180 contained in Chapter 551, Overlay Districts, be amended to read as follows:

~~**551.180. Purpose.** The LH Linden Hills Overlay District is established to preserve and promote the pedestrian character of the Linden Hills commercial districts, to establish parking requirements for certain high impact uses, to reduce the impact of commercial uses and off street parking and loading facilities on adjacent properties, to maintain the economic viability of the Linden Hills commercial districts while retaining a core of businesses providing neighborhood services, and to mitigate the impacts of vehicular speeds and congestion in the neighborhood. Small, neighborhood scale commercial uses are encouraged.~~

551.180. - Transit Station areas. (a) The following additional regulations shall govern development within PO Overlay Districts in and around the following existing or proposed transit stations, as shown on the official zoning maps:

Cedar-Riverside LRT Station
Franklin Avenue LRT Station
Lake Street/Midtown LRT Station
38th Street LRT Station
46th Street LRT Station
50th Street/Minnehaha Park LRT Station
VA Medical Center LRT Station
West Bank LRT Station
Stadium Village LRT Station
Prospect Park LRT Station

(1) Prohibited uses. The following uses shall be prohibited in the PO Overlay District:

- a. Self service storage.
- b. Commercial parking lots, including the expansion of any existing commercial parking lot.
- c. The conversion of any accessory parking lot to a commercial parking lot.

(2) Wholesaling, warehousing and distribution; furniture moving and storage. Uses shall be limited to thirty thousand (30,000) square feet of gross floor area.

(3) Density bonuses. Where the primary zoning district or Industrial Living Overlay District provide a density bonus of twenty (20) percent, such bonus shall be thirty (30) percent.

(4) Minimum floor area. New development shall be subject to a minimum floor area ratio requirement, as specified in Table 551-0, Transit Station Area Minimum Floor Area Ratio Requirements. Individual phases of a phased development may be less than this minimum, provided the entire development meets the minimum requirement. This requirement shall not apply to the expansion of buildings existing on the effective date of this section.

Table 551-0 Transit Station Area Minimum Floor Area Ratio Requirements

Transit Station Area	Minimum FAR		
	Commercial, OR2 and OR3 Districts	Industrial Districts	Residence and OR1 Districts
Cedar-Riverside	1.0	1.0	none
Franklin Avenue	1.0	1.0	none
Lake Street/Midtown	1.0	1.0	none
38th Street	1.0	1.0	none
46th Street	1.0	1.0	none
50th Street/Minnehaha Park	1.0	1.0	none
VA Medical Center	1.0	1.0	none
West Bank	1.0	1.0	none
Stadium Village	1.0	1.0	none
Prospect Park	1.0	1.0	none

(5) Off-street parking.

a. Multiple-family dwellings. The minimum off-street parking requirement for multiple-family dwellings in close proximity to frequent transit service may be reduced as authorized by Chapter 541, Off-Street Parking and Loading, except in the following transit station areas, where the minimum off-street parking requirement for multiple-family dwellings shall be seventy percent (70%) of the number specified in the UA University Area Overlay District: Cedar-Riverside, West Bank, Stadium Village, and Prospect Park.

Section 4. That Sections 551.190 through 551.320 contained in Chapter 551, Overlay Districts, be and are hereby repealed.

~~**551.190. Established boundaries.** All land located within the established boundaries of the LH Overlay District shall be subject to the requirements of this chapter. All applicants are encouraged to meet with the designated neighborhood organizations to discuss and review proposed plans for development within the Linden Hills commercial districts. The boundaries of the LH Overlay District shall be the areas known as the following as shown on the official zoning map:~~

- ~~(1) Forty third Street West and Upton Avenue South commercial district.~~
- ~~(2) Forty fourth Street West and Beard Avenue South commercial district.~~

~~**551.200. Prohibited uses.** The following uses shall be prohibited in the LH Overlay District:~~

- ~~(1) Drive through facilities.~~
- ~~(2) Automobile services uses.~~
- ~~(3) Video stores of more than two thousand (2,000) square feet gross floor area.~~
- ~~(4) Bicycle and in-line skate rental.~~

~~**551.210. Commercial deliveries.** All commercial deliveries and shipments of products, merchandise or supplies shall conform to existing road and truck use restrictions on residential streets, and are encouraged to be provided by use of straight trucks or smaller vehicles and not semi tractor trailers.~~

~~551.220. Fast food restaurants.~~ Fast food restaurants shall be located only in storefront buildings existing on the effective date of this ordinance, provided further that no significant changes shall be made to the exterior of the structure and freestanding signs shall be prohibited.

~~551.230. Restaurant seating plan.~~ All restaurants and coffee shops shall provide to the zoning administrator a complete accounting of the number of seats in the establishment, including all indoor and outdoor customer seating, and shall conspicuously post upon the premises the legal seating permitted and approved site plan for outdoor seating, if any.

~~551.240. Building placement.~~ The placement of buildings shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation. The first floor of buildings shall be located not more than eight (8) feet from the front lot line, except where a greater yard is required by this zoning ordinance. In the case of a corner lot, the building wall abutting each street shall be located not more than eight (8) feet from the lot line, except where a greater yard is required by this zoning ordinance. The area between the building and the lot line shall include amenities such as landscaping, tables and seating. Buildings shall be oriented so that at least one (1) principal entrance faces the public street rather than the interior of the site.

~~551.250. Building façade.~~ (a) Window area. At least forty (40) percent of the first floor façade of any nonresidential use that faces a public street or sidewalk, shall be windows or doors of clear or lightly tinted glass that allow views into and out of the building. Windows shall be distributed in a more or less even manner. Minimum window area shall be measured between the height of two (2) feet and ten (10) feet above the finished level of the first floor.

(b) Awnings and canopies. Awnings and canopies are encouraged to provide protection for pedestrians and shall be placed to emphasize individual storefronts and entrances. Plastic, vinyl or similar material and backlit awnings shall be prohibited.

~~551.260. Prohibited on premise signs.~~ The following on premise signs shall be prohibited in the LH Overlay District:

- ~~(1) Pole signs.~~
- ~~(2) Backlit awning signs.~~
- ~~(3) Backlit insertable panel projecting signs.~~

~~551.270. Accessory parking.~~ (a) Location. On-site accessory parking facilities established after June 1, 1997 shall be located to the rear or interior side of the site, within the principal building served, or entirely below grade.

(b) Dimensions. Parking lots shall be limited to not more than sixty (60) feet of street frontage.

(c) Driveways. Driveway width for all parking areas shall not exceed twenty (20) feet of street frontage. Parking areas existing on or before June 1, 1997 shall not be affected by this provision regardless of the amount of street frontage, provided that street frontages shall not be increased beyond the limits of this section.

~~551.280. Specific parking requirements.~~ Accessory off-street parking shall be provided as specified in Table 551-1, LH Overlay District Minimum Off-Street Parking Requirements.

Table 551-1LH Overlay District Minimum Off-Street Parking Requirements

Use	Minimum Parking Requirement	Specific Parking Standards
Video store not more than 2,000 square feet of gross floor area	1 space per 250 square feet of gross floor area but not less than 4 spaces.	Nonconforming parking rights shall apply. Off-site parking shall be prohibited.
Bank or financial institution	1 space per 300 square feet of gross floor area but not less than 4 spaces.	Off-site parking shall be permitted within 300 feet of the property line.
Grocery store	1 space per 300 square feet of gross floor area but not less than 4 spaces.	Off-site parking shall be prohibited.
Coffee shop	1 space per 3 seats but not less than 4 spaces.	Off-site parking shall be prohibited.
Restaurants without wine or beer	1 space per 3 seats but not less than 4 spaces	Off-site parking permitted within 300 feet of the main entrance of the premises to the property line of the parking lot.
Restaurants with wine or beer	1 space per 3 seats but not less than 4 spaces. Parking shall be provided for all customer seating, including outdoor seating.	Off-site parking permitted within 300 feet of the main entrance of the premises to the property line of the parking lot.

551.290. Maximum number of accessory parking spaces. The number of accessory parking spaces for nonresidential uses shall not exceed one hundred fifty (150) percent of the minimum required parking spaces, as specified in Chapter 541, Off-street Parking and Loading, except where it is determined by the zoning administrator that such excess parking spaces serve to provide parking for another use, subject to the requirements of this section. Parking areas existing on or before June 1, 1997 shall not be affected by this provision provided that the amount of off-street parking shall not be increased if it is already in excess of one hundred fifty (150) percent of the minimum required parking.

551.300. Site plan review required. The following shall be subject to the standards of Chapter 530, Site plan Review, and the site plan review standards of this article:

- (1) All uses listed in Chapter 530, Site Plan Review.
- (2) Any increase in gross floor area to three thousand (3,000) square feet or more through expansion of an existing building or construction of a new building.
- (3) Any increase in impervious parking surface area that results in a principal or accessory parking facility of ten (10) or more spaces.

551.310. LH Overlay District site plan review requirements. All uses subject to site plan review shall comply with the standards of Chapter 530, Site Plan Review, and the following requirements:

- (1) Commercial buildings adjacent to residence or office residence districts. Commercial buildings on property adjacent to a residence or office residence district boundary shall comply with the following:
 - a. Exterior materials and appearance of the rear and side walls of any building shall be the same as the front of the building.

~~b. A landscaped setback area of at least five (5) feet containing evergreen or deciduous shrubs that form a continuous screen not less than three (3) feet nor more than six (6) feet in height within two (2) years shall be provided between any building and the residence or office residence district boundary. The city planning commission may consider the substitution of a decorative fence or masonry wall in lieu of planted materials.~~

~~(2) Parking areas fronting along public streets. Parking areas fronting along a public street shall comply with the following:~~

~~a. A landscaped setback area of at least five (5) feet containing evergreen or deciduous shrubs that form a continuous screen three (3) feet in height within two (2) years shall be provided between the parking area and public street. The city planning commission may consider the substitution of a decorative fence, masonry wall or similar architectural feature in lieu of planted materials.~~

~~b. One canopy tree at least three (3) inches in caliper shall be provided for every fifteen (15) feet of parking lot frontage. Trees shall be planted between the parking area and the sidewalk, or between the sidewalk and the street.~~

~~(3) Parking areas adjacent to residence or office residence districts. Parking areas adjacent to a residence or office residence district boundary shall provide a six (6) foot decorative solid fence or a landscaped setback area of at least five (5) feet containing evergreen or deciduous shrubs that form a continuous screen not less than three (3) feet nor more than six (6) feet in height within two (2) years between the parking area and the residence or office residence district boundary.~~

~~(4) Maneuvering and loading. Any expansion of an existing building or construction of a new building resulting in a gross floor area of five thousand (5,000) square feet or more shall be subject to the following additional standards:~~

~~a. Vehicle maneuvering. In order to encourage pedestrian activity and to enhance public safety to the extent practical, all vehicle maneuvers associated with parking and loading shall occur in the off street parking or loading area or structure. Public streets shall not be used to conduct any parking maneuver, including backing out onto the street.~~

~~b. Commercial deliveries. The commercial delivery and shipment of products, merchandise or supplies in straight trucks or smaller vehicles shall be encouraged.~~

~~c. Shared loading. A loading facility shared by two (2) or more uses may be provided in lieu of one (1) required automobile parking space, subject to the provisions of Chapter 541, Off-street Parking and Loading.~~

~~551.320. Exceptions to LH Overlay District site plan review requirements.~~ The city planning commission may approve exceptions to the LH Overlay District site plan review requirements upon finding that the use or development includes site amenities that address any adverse effects of the exception or where the planning commission finds that strict adherence to the requirements is impractical because of site location or conditions.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

ORDINANCE 2016-024
By Palmisano
Intro & 1st Reading: 1/6/2014
Ref to: Z&P
2nd Reading: 3/18/2016

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning districts for the parcels of land listed below and identified on Zoning District Plates 29 (Linden Hills Small Area Plan Area), pursuant to MS 462.357:

Property ID#	Address	Existing Base Zoning	Existing Overlay Zoning	Proposed Base Zoning	Proposed Overlay Zoning
0802824410021	2718 43RD ST W	C1 & R4	LH, SH	C1	PO, SH
0802824420003	2724 43RD ST W	C1	LH, SH	C1	PO, SH
0802824420004	2726 43RD ST W	C1	LH, SH	C1	PO, SH
0802824420101	2813 43RD ST W	C2	LH	C2	PO
0802824420033	2814 43RD ST W	C1	LH	C1	PO
0802824420034	2822 43RD ST W	C1	LH	C1	PO
0802824420035	2826 43RD ST W	C1	LH	C1	PO
0802824420014	2720 44TH ST W	C1	LH, SH	C1	PO, SH
0802824420197	2800 44TH ST W #103	OR3	LH, SH	OR3	PO, SH
0802824429003	2800 44TH ST W 103	OR3	LH, SH	OR3	PO, SH
0802824420198	2800 44TH ST W #104	OR3	LH, SH	OR3	PO, SH
0802824420199	2800 44TH ST W #105	OR3	LH, SH	OR3	PO, SH
0802824420200	2800 44TH ST W #106	OR3	LH, SH	OR3	PO, SH
0802824420201	2800 44TH ST W #107	OR3	LH, SH	OR3	PO, SH
0802824420202	2800 44TH ST W #108	OR3	LH, SH	OR3	PO, SH
0802824420203	2800 44TH ST W #109	OR3	LH, SH	OR3	PO, SH
0802824420204	2800 44TH ST W #110	OR3	LH, SH	OR3	PO, SH
0802824420205	2800 44TH ST W #201	OR3	LH, SH	OR3	PO, SH
0802824420206	2800 44TH ST W #202	OR3	LH, SH	OR3	PO, SH
0802824420207	2800 44TH ST W #203	OR3	LH, SH	OR3	PO, SH
0802824420208	2800 44TH ST W #204	OR3	LH, SH	OR3	PO, SH
0802824420209	2800 44TH ST W #205	OR3	LH, SH	OR3	PO, SH
0802824420210	2800 44TH ST W #206	OR3	LH, SH	OR3	PO, SH
0802824420211	2800 44TH ST W #207	OR3	LH, SH	OR3	PO, SH
0802824420212	2800 44TH ST W #208	OR3	LH, SH	OR3	PO, SH

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0802824420213	2800 44TH ST W #209	OR3	LH, SH	OR3	PO, SH
0802824420214	2800 44TH ST W #210	OR3	LH, SH	OR3	PO, SH
0802824420215	2800 44TH ST W #301	OR3	LH, SH	OR3	PO, SH
0802824420216	2800 44TH ST W #302	OR3	LH, SH	OR3	PO, SH
0802824420217	2800 44TH ST W #303	OR3	LH, SH	OR3	PO, SH
0802824420218	2800 44TH ST W #304	OR3	LH, SH	OR3	PO, SH
0802824420219	2800 44TH ST W #305	OR3	LH, SH	OR3	PO, SH
0802824420220	2800 44TH ST W #306	OR3	LH, SH	OR3	PO, SH
0802824420221	2800 44TH ST W #307	OR3	LH, SH	OR3	PO, SH
0802824420222	2800 44TH ST W #308	OR3	LH, SH	OR3	PO, SH
0802824420223	2800 44TH ST W #309	OR3	LH, SH	OR3	PO, SH
0802824420224	2800 44TH ST W #310	OR3	LH, SH	OR3	PO, SH
0802824420225	2800 44TH ST W #401	OR3	LH, SH	OR3	PO, SH
0802824420226	2800 44TH ST W #402	OR3	LH, SH	OR3	PO, SH
0802824420227	2800 44TH ST W #403	OR3	LH, SH	OR3	PO, SH
0802824420228	2800 44TH ST W #404	OR3	LH, SH	OR3	PO, SH
0802824420229	2800 44TH ST W #405	OR3	LH, SH	OR3	PO, SH
0802824420230	2800 44TH ST W #406	OR3	LH, SH	OR3	PO, SH
0802824420231	2800 44TH ST W #407	OR3	LH, SH	OR3	PO, SH
0802824420232	2800 44TH ST W #408	OR3	LH, SH	OR3	PO, SH
0802824420233	2800 44TH ST W #409	OR3	LH, SH	OR3	PO, SH
0802824420234	2800 44TH ST W #410	OR3	LH, SH	OR3	PO, SH
0802824420235	2800 44TH ST W #501	OR3	LH, SH	OR3	PO, SH
0802824420236	2800 44TH ST W #502	OR3	LH, SH	OR3	PO, SH
0802824420237	2800 44TH ST W #503	OR3	LH, SH	OR3	PO, SH
0802824420238	2800 44TH ST W #504	OR3	LH, SH	OR3	PO, SH
0802824420239	2800 44TH ST W #505	OR3	LH, SH	OR3	PO, SH
0802824420240	2800 44TH ST W #507	OR3	LH, SH	OR3	PO, SH
0802824420241	2800 44TH ST W #508	OR3	LH, SH	OR3	PO, SH
0802824420242	2800 44TH ST W #509	OR3	LH, SH	OR3	PO, SH
0802824420243	2800 44TH ST W #510	OR3	LH, SH	OR3	PO, SH
0802824420244	2800 44TH ST W #601	OR3	LH, SH	OR3	PO, SH
0802824420245	2800 44TH ST W #602	OR3	LH, SH	OR3	PO, SH
0802824420246	2800 44TH ST W #603	OR3	LH, SH	OR3	PO, SH
0802824420247	2800 44TH ST W #604	OR3	LH, SH	OR3	PO, SH
0802824420248	2800 44TH ST W #605	OR3	LH, SH	OR3	PO, SH
0802824420249	2800 44TH ST W #607	OR3	LH, SH	OR3	PO, SH
0802824420250	2800 44TH ST W #608	OR3	LH, SH	OR3	PO, SH
0802824420251	2800 44TH ST W #609	OR3	LH, SH	OR3	PO, SH
0802824420252	2800 44TH ST W #610	OR3	LH, SH	OR3	PO, SH
0802824420119	3000 44TH ST W	R1A	none	R4	PO

0802824420185	3006 44TH ST W #1	R1A	none	R4	PO
0802824429002	3006 44TH ST W 1	R1A	none	R4	PO
0802824420186	3006 44TH ST W #2	R1A	none	R4	PO
0802824420187	3006 44TH ST W #3	R1A	none	R4	PO
0802824420188	3006 44TH ST W #4	R1A	none	R4	PO
0802824420189	3006 44TH ST W #5	R1A	none	R4	PO
0802824420121	3012 44TH ST W	R1A	none	R4	PO
0802824420122	3016 44TH ST W	R1A	none	R4	PO
0802824420124	3020 44TH ST W	R1A	none	R4	PO
0802824310003	3322 44TH ST W	C1	LH	C1	PO
0802824340234	3401 44TH ST W	C1	LH	C1	PO
0802824340116	3415 44TH ST W	C1	LH	C1	PO
0802824330009	3509 44TH ST W	C1	LH	C1	PO
0802824330139	3511 44TH ST W	C1	LH	C1	PO
0802824330159	3537 44TH ST W	C1	LH	C1	PO
0802824330005	3561 44TH ST W	C1	LH	C1	PO
0802824330157	3600 44TH ST W	R5	none	R5	PO
0802824330158	3602 44TH ST W	R5	none	R5	PO
0802824330155	3606 44TH ST W	R5	none	R5	PO
0802824330154	3610 44TH ST W	R5	none	R5	PO
0802824330153	3614 44TH ST W	R5	none	R5	PO
0802824330152	3618 44TH ST W	R5	none	R5	PO
0802824330151	3622 44TH ST W	R5	none	R5	PO
0802824330150	3626 44TH ST W	R5	none	R5	PO
0802824330098	3717 44TH ST W	C2	none	C2	PO
0802824330095	3723 44TH ST W	C2	none	C2	PO
0802824330146	3808 44TH ST W	R1A	none	R4	PO
0802824330088	3813 44TH ST W	C1	none	C1	PO
0802824330163	3824 44TH ST W	R4	none	R4	PO
0802824330096	3724 45TH ST W	C2	none	C2	PO
0802824310016	4352 ABBOTT AVE S	R1A	none	C1	PO
0802824340090	4404 ABBOTT AVE S	C1	LH	C1	PO
0802824330006	4400 BEARD AVE S	C1	LH	C1	PO
0802824330156	4354 CHOWEN AVE S	R5	none	R5	PO
0802824330101	4408 CHOWEN AVE S	R5	none	R5	PO
0802824330149	4355 DREW AVE S	R5	none	R5	PO
0802824330097	4440 DREW AVE S	C2	none	C2	PO
0802824320179	4339 FRANCE AVE S	C1	none	C1	PO
0802824330083	4345 FRANCE AVE S	C1	none	C1	PO
0802824330164	4351 FRANCE AVE S	C2 & R1A	TP	C2	PO

0802824330166	4405 FRANCE AVE S	C1	none	C1	PO
0802824330092	4419 FRANCE AVE S	C2	none	C2	PO
0802824330143	4501 FRANCE AVE S	C2	none	C2	PO
0802824330073	4519 FRANCE AVE S	C1	none	C1	PO
0802824330072	4525 FRANCE AVE S	R5	none	R5	PO
0802824330071	4529 FRANCE AVE S	R5	none	R5	PO
0802824330070	4537 FRANCE AVE S	R2B	none	R4	PO
0802824330069	4541 FRANCE AVE S	R2B	none	R4	PO
0802824420184	4279 SHERIDAN AVE S	C1	LH, SH	C1	PO, SH
0802824420183	4289 SHERIDAN AVE S	C1	LH, SH	C1	PO, SH
0802824330094	3801 SUNNYSIDE AVE	C2	none	C2	PO
0802824330093	3815 SUNNYSIDE AVE	C2	none	C2	PO
0802824420028	4246 UPTON AVE S	C1	LH	C1	PO
0802824420030	4246 UPTON AVE S	C1	LH	C1	PO
0802824420031	4250 UPTON AVE S	C1	LH	C1	PO
0802824420032	4264 UPTON AVE S	C1	LH	C1	PO
0802824420099	4300 UPTON AVE S	C1	LH	C1	PO
0802824420010	4301 UPTON AVE S	C1	LH, SH	C1	PO, SH
0802824420011	4305 UPTON AVE S	C1	LH, SH	C1	PO, SH
0802824420100	4306 UPTON AVE S	C1	LH	C1	PO
0802824420009	4307 UPTON AVE S	C1	LH, SH	C1	PO, SH
0802824420098	4312 UPTON AVE S	C1	LH	C1	PO
0802824420116	4314 UPTON AVE S	C1	LH	C1	PO
0802824420015	4315 UPTON AVE S	C1	LH, SH	C1	PO, SH
0802824420016	4321 UPTON AVE S	C1	LH, SH	C1	PO, SH
0802824420017	4353 UPTON AVE S	C1	LH, SH	C1	PO, SH
0802824420123	4331 XERXES AVE S	R1A	none	R4	PO
0802824310002	4358 ZENITH AVE S	C1	LH	C1	PO

Section 2. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district boundaries so that they follow the centerline of public rights-of-way in a manner identified on maps accompanying the Linden Hills Rezoning Study, recommended for approval by the Planning Commission on February 8, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The ordinance was adopted.

The Minneapolis City Council hereby:

1. Approves the application submitted by Ben Graves to rezone (BZZ-7544) the properties located at 1121 W Lake St and 3005 Emerson Ave S, for a new six-story hotel with 123 rooms.

2. Passage of Ordinance 2016-025 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2016-025
By Bender
Intro & 1st Reading: 1/6/2014
Ref to: Z&P
2nd Reading: 3/18/2016

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of the City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

Lots 11 and 12, Block 8, Calhoun Park, Hennepin County, Minnesota. (3005 Emerson Ave S and 1121 W Lake St - Plate #24) to the C3A, Community Activity Center zoning district, retaining the PO, Pedestrian Oriented Overlay district.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The report and ordinance were adopted.

INTRODUCTION & REFERRAL CALENDAR

Pursuant to notice, on motion by B. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Community Development & Regulatory Services Committee:

Amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers, amending provisions related to Tobacco Dealers Licenses in the C-1 Zoning District.

Pursuant to notice, on motion by B. Johnson, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Ways & Means Committee:

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel, amending provisions related to severance pay for appointed employees.

On motion by Glidden, the subject matter of the following ordinance was introduced, given its first reading, and referred to the Zoning & Planning Committee:

Amending Title 20 of the Minneapolis Code of Ordinances relating to Zoning, amending regulations for establishments that provide free food, clothing, and services:

1. Chapter 535 Regulations of General Applicability.
2. Chapter 536 Specific Development Standards.
3. Chapter 537 Accessory Uses and Structures.
4. Chapter 541 Off-Street Parking and Loading.
5. Chapter 546 Residence Districts.
6. Chapter 547 Office Residence Districts.
7. Chapter 548 Commercial Districts.
8. Chapter 549 Downtown Districts.

RESOLUTIONS

Resolution 2016R-097 recognizing The Garden Club of America was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-097

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Recognizing The Garden Club of America.

Whereas, The Garden Club of America (GCA) is a volunteer, nonprofit 501(c)3 organization comprised of 200 member clubs and approximately 18,000 club members throughout the United States; and

Whereas, the purpose of The Garden Club of America is to stimulate the knowledge and love of gardening; to share the advantages of association by means of educational meetings, conferences, correspondence and publications; and to restore, improve and protect the quality of the environment through educational programs and action in the fields of conservation and civic improvement; and

Whereas, in 2016 the National Park System (NPS) will mark its 100th anniversary. The Garden Club of America has strong ties with the NPS, believing that our country's national parks are irreplaceable treasures whose value is incalculable; and

Whereas, the GCA 2016 Annual Meeting was purposefully set along the Mississippi National River and Recreation Area to honor the NPS 100th year; and

Whereas, the theme of the GCA meeting is Journey to the Heartland: Sky Blue Waters, Amber Fields, Green Forests; and the 2016 Planning Committee requests that the 35W Bridge be lit in its color scheme of green, blue, and yellow on the 21st day of May, 2016;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City recognizes The Garden Club of America the 21st day of May, 2016, and that the 35W Bridge shall be lit green, blue, and yellow on this day.

On motion by B. Johnson, the resolution recognizing the Lupus Foundation of Minnesota and Cory Cove's Sludgeathon 2016 was deleted.

Resolution 2016R-098 recognizing National Blue and Green Day was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-098

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Recognizing National Blue and Green Day.

Whereas, LifeSource is the non-profit organization dedicated to saving lives through organ, tissue, and eye donation in the Upper Midwest; and

Whereas, LifeSource serves the nearly 7 million people who live in communities across Minnesota, North Dakota, South Dakota, and western Wisconsin; and

Whereas, headquartered in the Twin Cities, there are offices in Rochester, Minnesota, and Sioux Falls, South Dakota, with additional team members located in Duluth, Minnesota; Grand Forks, Fargo, and Bismarck, North Dakota; and Rapid City, South Dakota; and

Whereas, April 16, 2016, is National Blue and Green Day, when the public is encouraged to wear blue and green, hold events, and partner with local restaurants, malls, media, and community organizations in an effort to promote the success of organ, eye, and tissue transplantation; and

Whereas, on this day the 35W Bridge will be lit blue and green to bring attention to the extreme need for registered donors; and

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council recognizes LifeSource and National Blue and Green Day and does declare that the 35W Bridge be lit in blue and green on this day.

Resolution 2016R-099 supporting Earth Hour 2016 was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-099

By Reich

Supporting Earth Hour 2016.

Whereas, our Minneapolis community is deeply concerned about the impacts of climate change and the future health and well-being of our planet and believes energy efficiency and natural resource conservation are important elements to combat climate change; and

Whereas, Earth Hour is both an international and local symbolic event organized by World Wildlife Fund to raise awareness about climate change issues, to encourage businesses, individuals, and government to take actions to reduce their carbon emissions and their impact on the environment in their daily lives and operations; and

Whereas, Earth Hour invites individuals, businesses, governments, and communities to turn off all non-essential lighting for one hour on Saturday, March 19, 2016, at 8:30 p.m. to show their support for environmentally sustainable action; and

Whereas, the Minneapolis Climate Action Plan, adopted in June of 2013, provides a roadmap for reducing citywide greenhouse gas emissions; and

Whereas, Minneapolis' Clean Energy Partnership, which received a 2016 Climate Leadership Award in the Innovative Partnerships category for addressing climate change, is a first-of-its-kind City-utility partnership that sets an example nationwide; and

Whereas, Saturday, March 19, 2016, from 8:30 to 9:30 p.m. has been designated International Earth Hour; and

Whereas, cities and states across the country are joining to raise awareness and demonstrate our nation's commitment to fighting climate change by supporting "Earth Hour";

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That on March 19, 2016, from 8:30 to 9:30 p.m. the City will participate in Earth Hour by turning off all uses of electricity in municipal buildings not required for life, safety, or operations, and will turn off the decorative lighting on the City Hall Clock Tower in order to conserve energy and raise awareness about global climate change.

Be It Further Resolved that residents of Minneapolis are encouraged to participate in Earth Hour and reduce their energy usage during every hour of the year.

Be It Further Resolved that we encourage all Minneapolis businesses to participate in Earth Hour.

Resolution 2016R-100 honoring the 2015-2016 Minneapolis North Community High School Polars Boys Basketball Team was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-100

**By Yang, Reich, Gordon, Frey, B. Johnson, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Honoring the 2015-2016 Minneapolis North Community High School Polars Boys Basketball Team.

Whereas, the North Community High Polars boys' basketball team won the 2016 Minnesota State Class A Championship on March 12th, defeating Goodhue High School 68-45; and

Whereas, this is the 6th state title and 20th state tournament appearance for the Polars; and

Whereas, the Polars finished the overall season with a 29-5 record and were also the City champion and the Sectional champion; and

Whereas, Minneapolis North Community High School has seen an academic and athletic resurgence since it was threatened with closure in 2010; and

Whereas, this resurgence is due to the leadership of Dr. Shawn Harris-Berry (the principal), Dr. Leo Lewis III (the athletic director), and other great teachers, administrators, and coaches; and

Whereas, Head Coach Larry McKenzie took over the struggling basketball program in 2013, and since then, the Polars have won the Minneapolis City conference championship three years in a row (2013-2016); and

Whereas, the 2016 roster includes: Eli Campbell, Pat Dembley, Marshawn Downey, Nasir El-Amin, Marquis Holloman, Jamil Jackson Jr., Jamire Jackson, Isaac Johnson, Taylor Johnson, Tyler Johnson, JaQuan Sanders-Smith, and Odell Wilson IV; and

Whereas, the coaches of the 2016 North High Polars boys' basketball team were Head Coach Larry McKenzie, Varsity Coaches George Ellis and Trent Witz, and Assistant Coach Sherman Patterson; and

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council, on behalf of the people of Minneapolis, hereby honor the 2015-2016 Minneapolis North High Polar boys' basketball team and give recognition to their outstanding accomplishments.

Resolution 2016R-101 honoring Martin Olav Sabo was adopted.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2016R-101

**By B. Johnson, Reich, Gordon, Frey, Yang, Warsame,
Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, and Palmisano**

Honoring Martin Olav Sabo.

Whereas, Martin Olav Sabo passed away on March 13, 2016, at the age of 78 after a lifetime of public service as a tireless advocate for the citizens of Minneapolis, of the State of Minnesota, and of the United States, and is survived by his wife of 52 years, Sylvia, daughters Karin Mantor and Julie Sabo, and sister Anna Marie Huesers; and

Whereas, Congressman Sabo represented with distinction the City of Minneapolis, the State of Minnesota, and the nation as a member of the Minnesota State House for 18 years (1960-1978) and as a member of the United States Congress for 28 years (1979-2006); and

Whereas, when on this day in 2006 Congressman Sabo announced his retirement from Congress, although as humble and unpretentious as ever, he pointed to both his role as the House Budget Committee Chair in putting together the 1993 Legislation that set our nation on a course to a balanced budget and his leadership as the Speaker of the Minnesota House in delivering the “Minnesota Miracle” on behalf of public education in 1971 as two of his greatest accomplishments; and

Whereas, part of the legacy of Congressman Sabo has improved and increased transportation alternatives for Minneapolis and the other cities he represented, such as the Hiawatha Light Rail Transit line, the Midtown Greenway, and makeovers of both the Stone Arch and Hennepin Avenue bridges; and

Whereas, in 2008 the City of Minneapolis demonstrated its appreciation and heartfelt thanks to Congressman Sabo for his many years of advocacy to improve the lives of all citizens by naming the Midtown Greenway bike bridge over Hiawatha Avenue the Martin Olav Sabo Bridge in his honor; and

Whereas, following his retirement Martin Sabo remained a committed and true public servant who always put the interest of the common good first with a willingness to work across the aisle by serving as the co-chair of the National Transportation Policy Project at the Bipartisan Policy Center, the only Washington, DC-based think tank that actively promotes bipartisanship; and

Whereas, the City of Minneapolis remains outstandingly appreciative of the longest consecutively serving elected official in Minnesota history, the State’s “number one Twins fan”, a legislator whose efforts to make our state and nation a better place are represented by the countless lives he made better, and who never forgot where he came from, the people he served, or the community he loved.

Now, Therefore, Be It Resolved by the City Council of The City of Minneapolis:

That the life of Martin Olav Sabo and his many contributions to the City of Minneapolis, the State of Minnesota, and the United States are worthy of public recognition, praise, appreciation, and heartfelt thanks. This Honorary Resolution serves as a testament to the fine qualities embodied by Martin Olav Sabo and his unwavering commitment to the best ideals of public service and community empowerment and is presented with sincere condolences to his family, along with the many happy memories of the warm, witty, and wise man who graced us with his presence.

MOTIONS

B. Johnson moved to direct the City Coordinator and the City Attorney to organize, convene, and lead a multi-department work group to review and respond to the recommendations of the Workplace Regulations Partnership Group (WPG) for a municipal policy on earned sick leave, including:

1. Draft an ordinance for a municipal earned sick leave policy for City Council consideration.
2. Develop a recommendation for a program to administer the municipal sick leave policy, including identifying a responsible department charged with implementing and enforcing any proposed ordinance, preparing a plan for start-up and ongoing operating costs, and creating a communications and outreach plan and timeline.
3. Identify outstanding concerns about a municipal sick leave policy and unresolved issues, including but not limited to issues identified in the WPG Report regarding casual employees and others with unique employment arrangements, issues articulated in the Cramer dissenting opinion, and those issues collected through community listening sessions, and propose strategies to mitigate, minimize, or resolve such concerns with the policy or administration of a municipal sick leave program to the extent practicable and not in conflict with the overall intent of the WPG Report.

The foregoing directives are to be reported back to a specially-called meeting of the Committee of the Whole on May 5, 2016.

In addition, the City Coordinator, along with assistance from a multi-department work group, will develop a recommendation for a permanent Workplace Regulations Partnership Group, to be reported back to the Committee of the Whole no later than Wednesday, May 25, 2016.

On roll call, the result was:

Ayes: Reich, Gordon, Frey, Yang, Warsame, Goodman, Glidden, Cano, Bender, Quincy, A. Johnson, Palmisano, President Johnson (13)

Noes: (0)

The motion was adopted.

NEW BUSINESS

B. Johnson and Goodman gave notice of intent to introduce at the next regular meeting of the City Council the subject matter of an ordinance amending Title 2, Chapter 16 of the Minneapolis Code of Ordinances relating to Administration: Finance, adding a new Article XIV entitled 20 Year Neighborhood Park Plan.

ADJOURNMENT

On motion by Glidden, the meeting was adjourned.

Casey Joe Carl,
City Clerk